

Meeting of:	Public Protection Licensing Committee
Date of Meeting:	Thursday, 30 July 2020
Relevant Scrutiny Committee:	Corporate Performance and Resources
Report Title:	REPORT OF THE OPERATIONAL MANAGER, LEGAL SERVICES IN RESPECT OF THE VALE OF GLAMORGAN COMMONS REGISTRATION AUTHORITY APPLICATION 1/2019 – TO REGISTER LAND AT MAES Y FFYNNON, ST NICHOLAS AS A TOWN OR VILLAGE GREEN UNDER S15 OF THE COMMONS ACT 2006
Purpose of Report:	To obtain authority from the Committee to convene a non-statutory public inquiry and appoint an independent legally trained inspector to hear the inquiry and make a recommendation to the Council as to whether the Application should be approved or refused
Report Owner:	VICTORIA DAVIDSON - OPERATIONAL MANAGER, LEGAL SERVICES
Responsible Officer:	JAMES DOCHERTY - PRINCIPAL LAWYER, LEGAL SERVICES
Elected Member and Officer Consultation:	NONE
Policy Framework:	
Executive Summary:	<ul style="list-style-type: none"> • The Vale of Glamorgan Council is the Registration Authority for the administrative area by virtue of the Commons Act 2006 ("The Act"). This function is carried out by the Council. • On 22 May 2019, an application was received by the Registration Authority to register an area of land at Maes Y Ffynnon, St Nicholas, Vale of Glamorgan ("the Application"). • Due to the fact that the Land is owned by the Council it is recommended that a non-statutory public inquiry be convened to consider the Application.

Recommendations

1. That due to the fact that the Land is owned by the Council a non-statutory public inquiry be convened to consider the Application.
2. That the Operational Manager Legal Services be given delegated power to appoint a legally qualified and suitably experienced independent Chairperson to hold a non-statutory public inquiry to consider the Application.
3. The cost of appointing Counsel to chair the non-statutory public inquiry, and his costs ancillary thereto be met from Legal Services budget.
4. That at the conclusion of the non-statutory public inquiry, the Chairperson shall be requested to produce a report for the Registration Authority which considers the evidence submitted in support and against the Application together with the evidence heard at the inquiry and to provide a recommendation to the Licensing Committee whether or not to register the Land as Town or Village Green under the Act.
5. That the further report be presented to Licensing Committee upon receipt of the Chairperson's report following the non-statutory public inquiry in order to determine the Application.

Reason for Recommendations

- 1– 5 In order for the Council as Registration Authority to discharge its obligation to adopt a fair and transparent procedure and to determine the Application in accordance with the relevant legislation.

1. Background

- 1.1 The Application is made in respect of land which is owned by the Council, and the Council as landowner shall hereafter be referred to as "the Landowner".
- 1.2 The Council, as Commons Registration Authority, is under a duty to maintain registers of Town and Village Greens, and the Council as Commons Registration Authority shall hereafter be referred to as "the Registration Authority". There is no legal difference between a Town and Village Green. The terms merely indicate the physical setting of the green. Registrations under the Act may result from:
 - (a) a new green being dedicated by the owner;
 - (b) 20 years use by local inhabitants before the date of application for registrations;

- (c) corrections to errors made under the Commons Registration Act 1965;
 - (d) corrections under the Commons Act 2006; or
 - (e) an exchange of land.
- 1.3 The Application is made on the basis of 20 years use by local inhabitants before the date of the application and is in respect of the land shown on the plan at Appendix 1 to this Report.
- 1.4 The procedure for dealing with the application is set down in the Regulations. The original Application and supporting documentation was forwarded to those interested in the land for consideration of objections. A notice was also placed in local newspapers and on site providing a six week period for objections to be received, a copy of the Notice is included at Appendix 4. One letter of objection was received in respect of this Application from the Landowner and the applicant was subsequently invited to provide further comments on these objections. Further representations have now been received from the Applicant as a result. All of the documentation received by the Registration Authority from the Applicant is set out and attached as Appendix 2 to this Report and the documentation received from the Landowner is set out attached as Appendix 3, for reference.

2. Key Issues for Consideration

- 2.1 The Application is made on the basis that residents in the locality have used the land for local sports and pastimes “as of right” for more than 20 years from the date of the Application. The original Application and supporting documentation and further representations by the Applicant are provided in full in Appendix 2 and the Objection and further representations by the Landowner are provided in full in Appendix 3.
- 2.2 An objection to the Application was received from solicitors acting on behalf of Landowner of the land comprised within the Application. The basis for the objection is that the use of the land for lawful sports and pastimes has been “by right” (i.e. in exercise of a legal right to do so) and not “as of right” as submitted in the Application.
- 2.3 The courts have emphasised on a number of occasions the importance of the registration authority adopting a fair procedure. Due to the Council’s role as both Landowner and Registration Authority and the complex nature of the law relating to this subject, it is recommended that a non-statutory public inquiry is held to test the evidence and to see if the requirements for registration had been met. The use of a

public inquiry for such an Application has been approved of by the courts as being in the interests of openness and fairness.

- 2.4 A public inquiry would provide the opportunity for the Applicant and the Landowner to submit further evidence, call witnesses and cross examine the other party's witnesses. A legally qualified independent chairperson who has experience in town and village green applications would be appointed to hear the public inquiry and submit a report on their findings to the Registration Authority together with a recommendation as to whether to register the whole or any part of the land comprised in the Application as a town or village green.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The Registration Authority is under a duty to maintain a Register of Town or Village Greens and to consider the Application independently.
- 3.2 This is a matter for Licensing Committee exercising their delegated powers to make arrangements for the discharge of the statutory registration functions of the Council.
- 3.3 This is a matter reserved for decision by the Public Protection Licensing Committee subject to the procedure set out in the Regulations.

4. Resources and Legal Considerations

Financial

- 4.1 Registration of a new Town or Village Green is a Corporate Function. If members are minded to follow the Officers recommendations and resolve that a non-statutory public inquiry should be held, the costs will include those of the appointed independent Chairperson who would be a Barrister specialising in this area of law. The Chairperson's costs including the production of a report for the Registration Authority would be charged on the following basis:
- £150 per hour plus VAT for advisory work and drafting directions
 - £1,250 plus VAT per day preparatory work prior to inquiry (estimated 0.5 to 1 day required)
 - £1,000 plus VAT for pre-inquiry meeting with the parties
 - £1,250 plus VAT per inquiry sitting days (estimated 1 to 2 days required)
 - £1,250-2,000 plus VAT per day for writing post inquiry report (estimated 3 days required)

These costs will be met from within the existing Legal Services Budget.

Employment

4.2 None

Legal (Including Equalities)

- 4.3 The Application has been made under S15(2) of the Commons Act 2006 and must be considered by the Registration Authority under the procedure set out in the Commons (Registration of Town or Village Green) (Interim Arrangements) (Wales) (Regulations 2007).
- 4.4 The Council's power in its capacity as the Registration Authority to register a town or village is a Council (statutory registration) function delegated to the Licensing Committee as set out in the Council's Constitution and in accordance with Schedule 1, Regulation 3 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007.

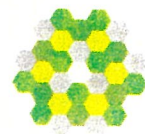
5. Background Papers

None

APPENDIX 1

HM Land Registry
Current title plan

Title number CYM410667
Ordnance Survey map reference ST0674SE
Scale 1:1250 enlarged from 1:2500
Administrative area The Vale of Glamorgan / Bro
Morgannwg



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APPENDIX 2

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:

<p>RECEIVED BY LESA SERVICES</p> <p>23 MAY 2019</p>

Application number:

Register unit No(s):

VG number allocated at registration:

1 / 2019 / VG50

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

1. Registration Authority

To the

Vale of Glamorgan Council

Note 1

Insert name of registration authority.

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

2. Name and address of the applicant

Name: MAES Y FFYNNON RESIDENTS ASSOCIATION (MYFRA) &
St NICHOLAS AND BONVILSTON COMMUNITY COUNCIL

Full postal address:

c/o
21 Maes Y Ffynnon
Bonvilston
Vale of Glamorgan
Postcode CF5 6TT

Telephone number:
(incl. national dialling code) 01446 781597 / 078 531 69927

Fax number:
(incl. national dialling code)

E-mail address: lounmol@sky.com

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Post code

Telephone number:
(incl. national dialling code)

Fax number:
(incl. national dialling code)

E-mail address:

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

** Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

If **section 15(6)*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.

5. Description and particulars of the area of land in respect of which application for registration is made

Name by which usually known:

Maes Y Ffynnon, Village Green
(North end of Maes Y Ffynnon.)

Location:

AS detailed in the map marked 'A'. - AS outlined in red.

Shown in colour on the map which is marked and attached to the statutory declaration.

Common land register unit number (if relevant) *

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

* Only complete if the land is already registered as common land.

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

The neighbourhood is predominantly Maes Y Ffynnon, within the locality of Bonvilston and the neighbourhood of Village Farm, also within the locality of Bonvilston.
The map attached outlines the estates of Maes Y Ffynnon and Village Farm within Bonvilston.

Tick here if map attached:

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

7. Justification for application to register the land as a town or village green

Note 7

Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

The Village Green to the North end of Maes Y Ffynnon is the area we are applying to register. This area has been used as a Village Green for 'lawful recreational sports and pastimes' for at least 20 years and since the mid 1950's, by Maes Y Ffynnon residents and members of the Village Farm estate and some other members of Bonvilston. The Village Green has provided a safe area for children to play games on for decades and this continues today. It serves as an open green space for dog walkers and nature watchers, who reside in the estates of Maes Y Ffynnon, Village Farm and other members of the Bonvilston Community. The Village Green has been used as an area for relaxation and socialisation for generations and over 20 years for the residents of Maes Y Ffynnon and Village Farm in Bonvilston.

The Village Green has hosted events, celebrations and social gatherings for the last 20 years and since the 1950s, as it provides the perfect location for group gatherings, events and parties. There has never been a requirement to seek permission to use the Village Green from anyone or the owner, for recreational sports and pastimes, or any other activity. The Village Green situated at the North end of Maes Y Ffynnon, which flanks the hard stands, where 5 garages originally stood has been used in its entirety 'as of right', for the last 20 years and since the 1950s. There has never been any restrictions on the Village Green's usage, or signs or notices preventing residents from using the area for 'recreational sports and pastimes', or any other activity, in its history.

Please See Attached Supporting Statement.

Note 8

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

The Vale of Glamorgan.

9. Voluntary registration – declarations of consent from 'relevant leaseholder', and of the proprietor of any 'relevant charge' over the land

None.

Note 9

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

10. Supporting documentation

Note 10

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

LIST OF MYFRA MEMBERSHIP
Supporting Statement.
Land Registry map of area - Village Green
Map of /outline neighbourhood using Green.
Appendix 1: Land Registry map of area / map
Appendix 2: Witness Statements
Appendix 3: Photographs
Appendix 4: Evidence Questionnaire

Note 11

If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

11. Any other information relating to the application

Note 12

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

Date:

22 / 5 / 2019

Signatures:

Siobhán Clarke
For and on behalf of Maes 4
Fynnon Residents Association

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

¹ *Insert full name (and address if not given in the application form).*

Deborah San Clarke

I....., solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am ((the person (~~one of the persons~~) who (has) (~~have~~) signed the foregoing application)) ((~~the solicitor to (the applicant)~~) (³ one of the applicants)).

³ *Insert name if Applicable*

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

4.⁴ I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:

- (i) a declaration of ownership of the land;
- (ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have

Cont/



HM Land Registry Current title plan

Title number **CYM410667**
Ordnance Survey map reference **ST0674SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **The Vale of Glamorgan / Bro Morgannwg**



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THIS IS THE EXHIBIT MARKED 'A'
REFERRED TO IN THE STATUTORY DECLARATION
OF DEBORAH SIÂN CLARKE MADE THIS
17 APRIL 2019 BEFORE ME
~~Alan~~ Solicitor

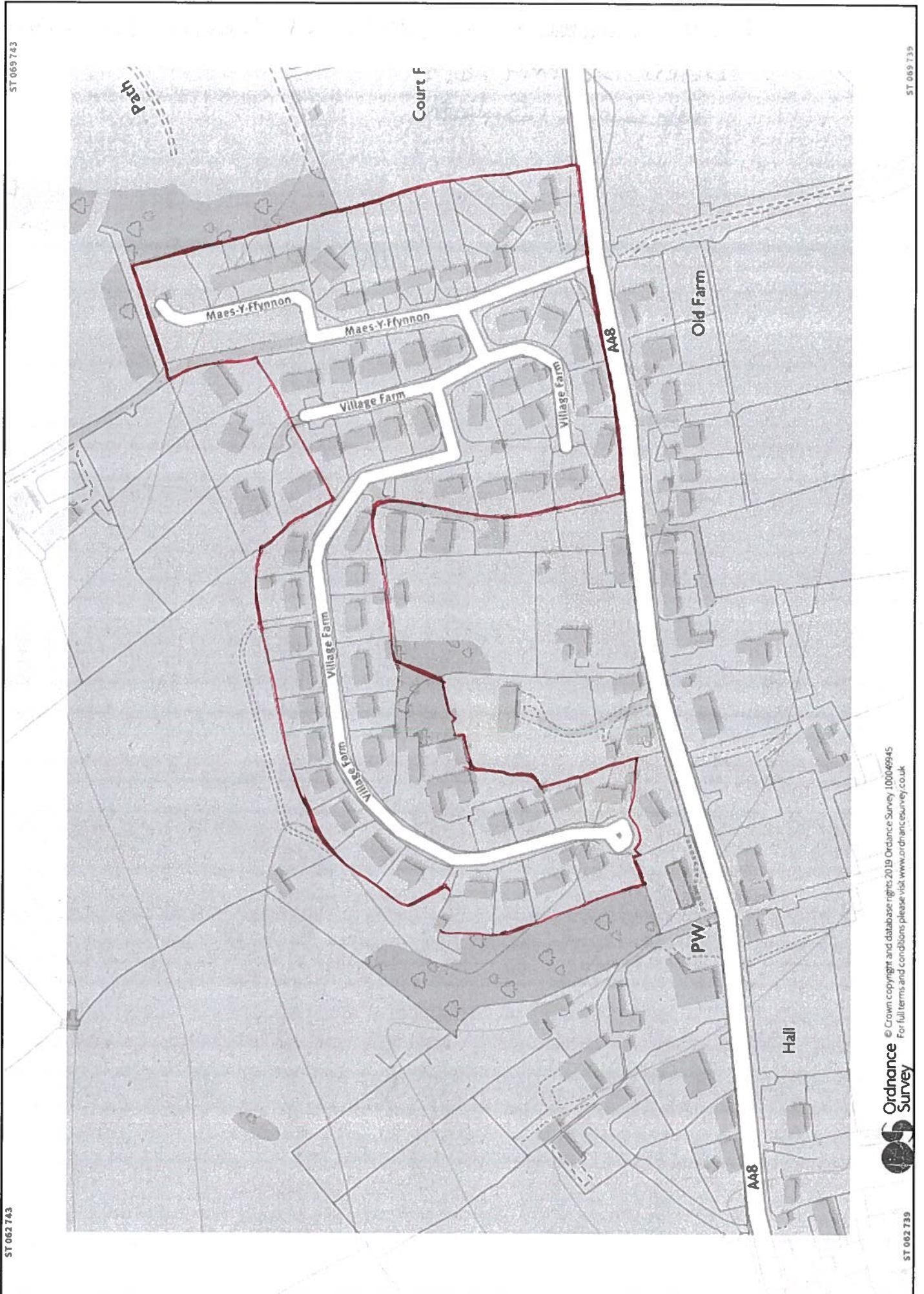
Deborah Clarke.

Redated 22nd MAR 2019

~~Alan~~ Solicitor

Deborah Clarke.

OUTLINED IN RED - LOCALITY OF THE NEIGHBOURHOOD USING THE VILLAGE GREEN, MAES Y FFYNNON - PREDOMINANT USE AND VILLAGE FARM.



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Supporting Statement for The Protection of The Village Green at Maes Y Ffynnon, Bonvilston

This statement is evidence required for the submission of the application to protect the village Green in Maes Y Ffynnon, Bonvilston. To support this statement there a number of 'witness statements', and photographs provided by residents of Maes Y Ffynnon and Village Farm in Bonvilston, many of which are supported by photographic evidence of activities, sports and pastimes and events that have taken part on the Village Green. **(Appendix 2 and Appendix 3).**

The earliest memories of the green have been provided by a number of residents who have resided in Maes Y Ffynnon since the beginning, when it was first developed. The first houses were built in 1948 in a post second world war Britain that was seeking to re-build communities destroyed through conflict. A number of our long-standing residents can site memories and recollections from the last 50 years, including, Cecil Mustow, Thelma Whiting and Kath Lougher. As time served residents they can reminisce about life and their experiences of using the village green at Maes Y Ffynnon, dating back to the 1950s. It is therefore not surprising that they passionately support the application to protect Bonvilston's Village Green space, located to the North end of Maes Y Ffynnon.

In 1948 the first houses were erected and following on from this, there were additional houses built in Maes Y Ffynnon from the late 1940s through until 1956, which make up properties number 1 - 24. Many of these are still occupied by the original residents, including properties 10, 14, 17, 19 and 20. It should be noted here that the design and quality of the architecture for these houses was recognised on many levels and they become award winning properties. The properties 1 – 24 include in their design two Village Greens, (one is located at the North end of Maes Y Ffynnon, the other at the front alongside properties 1 – 6). The Green at the North site extends from the end of number 24, around the hard stands, (that were previously the garages) and then runs directly in front of the houses 15 – 24 in Maes Y Ffynnon. **(Appendix 1.1, Land registry Title Plan, Green to the North of Maes Y Ffynnon outlined in red).**

The evidence that Bonvilston has 2 Village Greens is supported by the 1996 – 2011, Vale of Glamorgan Unitary Development Plan (UDP), which was adopted by the Vale of Glamorgan Local Authority and described Maes Y Ffynnon as, "a group of estate houses set around two "village greens". **(Appendix 1.2, P 17, 6.3.3).** This application applies to the Village Green located to the North end of Maes Y Ffynnon, as outlined in red on the attached map. The UDP report also clearly highlights the need for "The protection and enhancement of the two rural housing estates at Maes Y Ffynnon". **(Appendix 1.2, p17, 6.3.5).**

The design of the Maes Y Ffynnon houses allows the residents to enjoy the traditional principles of community life, integrated design, comprising of shared access to the properties, via communal paths and side passages. The Green space is integral to supporting community spirit and traditional family and village values. This has historically contributed to a better quality of family life and community togetherness. The houses and the Village Green were designed to complement each other and serve to support a lifestyle that promoted community activities, including recreational sports and pastimes.

It has always been evident from the 1950s, through the 1970s, 1980s, 1990s, 2000s, to the present that the Village Green has served to fulfil the principles of community living and function fully in line with its intended purpose. This Village Green has been used as an area for 'recreational lawful sports and pastimes, 'as of right' by the residents since the 1950s. It's inclusion in the overall design and layout of Maes Y Ffynnon, was for the sole purpose of providing a Village Green space for the local community to use. Over the decades the Local Authority have recognised this area as a Village Green

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and protected it as such and aimed to preserve and protect the space, with preservation orders on many of existing trees.

From the beginnings of the Maes Y Ffynnon development, residents took full advantage of the Village Green space, which is evidenced in the Witness Statements from Cecil Mustow and Thelma Whiting, who have lived in their houses from when they were first built. Cec moved in to Maes Y Ffynnon in the 1950s and in his words 'the Green existed on day one'. Cecil Mustow can provide many stories about his son, Kelvin who was 5 when they moved to Maes Y Ffynnon, playing with Sheila Whiting on the Green from the year they first moved in. **(Appendix 2.1, Witness Statement / Appendix 3.1 Photograph)**

He along with other residents such as Thelma Whiting have witnessed decades of activities on the Green, some of which were annual events tying in with Bank Holidays, or Bonfire night and others that involved unique one-off celebrations, such as the Queen's 1977 Silver Jubilee. **(Appendix 2.2, Witness Statement)**. During the 1960s the Green was used to hold annual Carnivals on the August Bank Holiday not just for the residents of Maes Y Ffynnon, but for all of the Bonvilston villagers to attend. By this time the Green was 'in full swing' and functioning as the centre of the community, with events and Carnivals being held on the May Day and August Bank Holidays as well. **(Appendix 2.2 Witness Statement / Appendix 3.2 Photograph)**.

During the 1970s there was one of the most significant changes to the village of Bonvilston in its history. In 1976 building started on the houses at Village Farm, which were being constructed on the area known as the 'sports field'. Historically this site had been a space for playing local club football, cricket and hosting Pony Gymkhanas for the residents of Bonvilston and neighbouring village of St Nicholas. There was also a building which is now long gone, on the 'sports field', that was known as The Pavillion. The loss of this green space known as the 'sports field' and site of so much activity, meant that the focus for outdoor community activities centred around the Village Green to the North end of Maes Y Ffynnon, that flanks the garages on both sides. **(Appendix 2.1, Witness Statement)**. This became the primary green space as it was that was safe for to children to play and large enough for adults to socialise with each other and Fetes and other activities be held. The development, which involved such a significant loss of green space, was able to go ahead because there was the Village Green space in Maes Y Ffynnon. This Village Green was considered a sufficient and appropriate space to serve the residents of Village Farm as well, as Maes y Ffynnon. The fact that if offered the scope for social activity, was also an important factor with the loss of the Pavillion. A bench was donated by John Ferry following sale of his 'sports field' for the Village Green, when the houses were built in Village Farm, (this was in recognition of the Village Green space at the North of Maes Y Ffynnon having the capacity to serve the community of Bonvilston with a place for recreational sports and pastimes, as so much land space was lost due to the housing development). The evidence provided supporting this application includes and describes testimonials and pictures of the bench being used by the residents of Bonvilston. **(Appendix 2.1 and 2.2, Witness Statements / Appendix 3.3 Photographs)**.

Village Farm was built during the 1970s and 1980s and was completed in 1985. This saw an influx of families moving into Bonvilston and an increase in the number of children who played on the Village Green and also attended the community events. The new Village Farm Estate also attracted families with younger children, as it was in the catchment area of Cowbridge school and Bonvilston children could attend St Nicholas Primary School. Another significant contributing factor for the increase of the usage of the Village Green, from the late 1960s, into the 1970s and through to the 1980s, was that a number of the residents that first moved in had young families, so Maes Y Ffynnon had a growing population of small children and young people living there. There was Lynne and Gareth Morgan, Andrew and Linda Morgan, David and Christine Lougher to name a few of the children that played

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daily on the Village Green. All of these children, who are now adults either still reside in the village of Bonvilston or return regularly to visit their parents and relatives. Their continued connection with Maes Y Ffynnon, has allowed them to share their memories of daily playing on the Village Green with ball games, cricket and climbing trees. The children would also build dens and practice sports for the school teams that they represented. **(Appendix 2.3, Witness Statement).**

As well as the daily play there was always something to look forward to that would take place on the Village Green. Every year for decades, residents built a bonfire for Guy Fawkes night, they also in October gathered in their Halloween costumes before parading around the village. The annual Bonfire was at the North end of the Village Green to the left of where the garages and hard stands are situated. **(Appendix 2.1, 2.2, 2.3 Witness Statements).** The residents also held Fetes and celebrations throughout the 1970s and 1980s, including a party on the Green to celebrate the Queens Jubilee. The attendees for this event were between 80 and 100 and the residents all congregated on the Village Green for the Royal celebrations. The photographic evidence provided from 1977, clearly shows the residents celebrating in style and fancy dress on The Green. The area to the right of the garages backing onto number 24, has stalls and stands with festive bunting residents wearing their Red, White and Blue. **(Appendix 2.1, 2.2, 2.3, Witness Statements / Appendix 3.4, 3.5 Photograph).**

It was during the 1970s that the Council decided to plant the Sycamore Trees that are now mature and an integral part of supporting the wildlife, that is in abundance on the Green. A significant number of these have existing Preservation Orders applied to their conservation. Residents both in the past and present enjoy the birdlife which can be observed, including an abundance of Woodpeckers, finches and tits to name a few. The trees also serve to support the local Bat and Owl (both Tawny and Little) populations that can be seen and heard on a daily basis, further adding to the Greens charm. **(Appendix 2.1, 2.5, Witness Statements).** Spurred on and inspired by the planting of the trees, the residents decided to further enhance the area and began planting bulbs and shrubs on the Village Green. Many of these daffodils can still be seen today around the bottom of the trees and around the bench at the front of the Green.

In 1978, 1982 and then later in 1990s the big freezes descended, and residents had weeks of snow, with the schools closed, public transport at a standstill and also regular power cuts. The residents of Maes Y Ffynnon, during all of these decades pulled together to clear the roads and the children in Bonvilston took full advantage of their time off school, by building snowmen and having snow ball fights on the Green, sledging down the slope at the front of the Green to the road and walking along the top of the hedges which separates the Village Green from the lane. There are Witness Statements and photographs provided from the 1990s of Rhys and Jordan Ivory sledging and building igloos on the Green. **(Appendix 2.1 Witness Statement / Appendix 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16 Photographs).**

From the early days of the Green and throughout the 1980s to 2019, it has been a favourite spot for dog owners to let their pets chase a ball and stretch their paws. Eve Morgan, Lynne Morgan, Chris and Alex Brown and Thelma Whiting who are all animal lovers have exercised their dogs on the Green for many years. In the 1980s Eve had her first dog, which was called Tegwen, a picture of her has been provided holding Teg on the Village Green. She walked Teg daily on the Village Green and on weekends her daughter joined them with her dog, Non and they threw balls at the front, around the garages on both sides, up to and behind number 24. Eve also walked her last dog Lucy on the Village Green and this continued until 2011 and residents and family can recall seeing her out there throwing the ball and chatting with her neighbours. Her dog walking on the Green spanned over four decades and can be remembered by residents of all ages. **(Appendix 2.2, 2.3, 2.5, 2.6, 2.7, Witness Statements / Appendix 3.17, 3.18, Photographs).**

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During the 1980s, other special activities that took place on the Village Green, notoriously a rock music concert with a temporary stage, amplifiers and a local band. Gareth Morgan, from number 20 had now progressed from playing children's games such as, 'rat a tat ginger' to leading and playing bass in his newly formed band. In 1981/1982 following weeks of practice Gareth on bass and his band, with fashionably long hair and 'cut off denim' played their first public gig on the Village Green at Maes Y Ffynnon for the residents of Bonvilston to enjoy. This was attended by those living in both Maes y Ffynnon and Village Farm and as his Sister recalls the neighbours were very patient and supportive of pre-concert practicing leading up to the 'gig'. Lynne, Gareth's Sister witness statement describes this perfectly. **(Appendix 2.3, 2.4, Witness Statements).**

During the 1990s a new generation of children started to play on the Village Green. Rosemary Fisher, who moved to Maes Y Ffynnon in 1993, with her husband Paul, did so to give her children a village life upbringing. She recalls their three children playing on the Green and how it also offered a social point for her to meet the other residents. This allowed her to become friendly with many people living in Maes Y Ffynnon and she felt comforted that they would keep an eye on the children playing on the Village Green. Rosemary has provided a witness statement that describes her children, playing ball games, riding their bikes and playing football. Her sons played with other children from number 23 and 24 Maes Y Ffynnon and number 26 Village Farm, as well as other children in Bonvilston. Both Rosemary and her Daughter Alice have provided evidence of how she played with Zach and Georgia Usher in number 24 Village Farm building dens and making up games. Her three children played sports and used the Green recreationally as teenagers as well, so this spanned across two decades and up until 2010. **(Appendix 2.10, 2.11).**

Leigh and Tracy Ivory's children Rhys and Jordan (Number 23 Maes Y Ffynnon, who are referred to by Rosemary), played football and games on the Village Green after school and on the weekend. They learned to ride their bikes on the Village Green and Leigh has fantastic video footage of this from 1997. **(Appendix 3.36, DVD containing Video Footage).** Tracy has described how her children not only played traditional games but also 'slip and slide' and even camped out on the Village Green creating their own adventures, as both children and teenagers. They continued to play on the Village Green for many years, Rhys has early memories of learning to ride his bike, as well as playing with his Brother and Sister and children from Village Farm. He recalls playing, football and cricket on the Village Green after breakfast and also his favourite game which was Mob. Throughout their teenage years they continued to use the Village Green to play football and to also camp out with their friends, making them very popular boys. They played on the Village Green for over two decades up until 2010. These days Rhys can be seen playing football with his Nephews on the Village Green, especially on Sundays and school holidays while his Mum, who is a now Granny is cooking roast dinner for the whole family. The family place great importance on this generation having the same experience that Rhys and his siblings had and this generation of children cannot wait to come to Maes Y Ffynnon to play, as they do not have a Village Green of their own. **(Appendix 2.5, 2.8, 2.9, Witness Statements / Appendix 3.19, Photographs)**

When Rhys is not there to play football with his Nephews they can be seen playing together and with Oliver Hunt who lives in number 13. Oliver is 11 and enjoys the freedom of being able to go out to play with his neighbours and his parents, Nick and Ceri Hunt have piece of mind knowing that he is safe and can be observed by the other residents, including relatives Sian and Steve Clarke, at number 21 and Leigh and Tracy Ivory at number 23. Oliver regularly brings his friends to play on the Village Green and like so many children today they love the freedom and space they have to run around with a football or climbing trees, as the community where they live, does not have a Village Green. In the summer Oliver also used to play with his three Cousins who come and stay with their Aunt and Uncle

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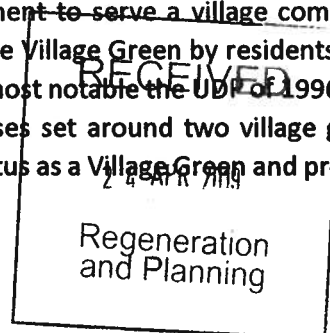
at number 21 and we have watched them inventing new games and planning adventures around the Village Green and trees. Over the last couple of years Oliver's little Brother Tommy has also started to join in with playing on the Village Green, practicing his football skills with Mum, Dad and his Brother, whilst throwing the ball for Max their Springer Spaniel. **(Appendix 2.9, 2.12,2.7. Appendix 3.25, 3.26, 3.27, 3.28, Photographs).**

Dog walking has been a common and ongoing theme for the usage of the Village Green and this still continues today with Alex and Chris Brown from number 24, training Lyra their rescue dog on the Village Green, with photos provided to illustrate this. Other photographs of residents with their dogs on the Green, have also been provided, including Ceri Hunt with her Spaniel Max and Steve Clarke with Ebony a black Labrador. Residents from the flats and houses 1 – 14 and Village Farm, are also regularly seen walking their dogs on the Green. Buddy and Noodles who are very regular visitors to stay at number 23 Maes Y Ffynnon, can be seen running around on the Village Green, sniffing out the local cats, before visiting Cec in number 17 for a rest and discipline. **(Appendix 2.5, 2.6, 2.7, 2.13 / Witness Statements, Appendix 4, Questionnaire / Appendix 3.27, 3.28,3.29 3.30, Photographs)**

The Maes Y Ffynnon, Village Green, has not only served for children to play but offered recreational and social opportunities for the adult community. There are photographs of residents mixing with their neighbours and fellow villagers on the Village Green. **(Appendix 3.20, 3.21, 3.22, 3.23, 3.24, Photographs).** For over sixty years it has been the place for villagers to engage in, lawful sports and pastimes. It continues to host special events on notable occasions, such as St David's Day celebrations, with Welsh Cake competitions, fancy dress and children's games. On 2nd March 2019, the local residents of Maes Y Ffynnon and Village Farm gathered together to celebrate St David's Day and had refreshments and cakes on the Village Green. There were games for the children, such as 'hide and leek' along with drawing activities and football being played. There were also some fellow villagers from St Nicholas and The Downs in attendance, such as Anne Walklate and Therese Hunt who came to enjoy the celebrations. It was also great to see some of the original Maes Y Ffynnon residents there enjoying tea and cake, including Cec and Thelma, (mentioned above). This is evidenced in the photographs provided to support this statement. **(Appendix 2.7, Witness Statement. Appendix 3.20, 3.21, 3.22, 3.23, 3.24, 3.25,3.28, 3.31, 3.32, 3.33,3.34,3.35,3.37, Photographs).**

It is clear from the narrative above reflecting residents experience and the supporting evidence, of witness statements, photographs and official documentation, that there has been a continued use of the Village Green by generations of residents, many of which are part of the same family. It has served as a multi-functional and multi-generational green space that has united the community for decades. When the houses were built its inclusion in the design of the Maes Y Ffynnon development was for the sole purpose of being a Village Green to serve the community. It has clearly fulfilled and exceeded its intended purpose. It has been used and referred to since the 1950s, as 'The Village Green' providing a place to host a diverse range of activities, over many years. The Village Green at Maes Y Ffynnon also as already mentioned hosts a wealth of wildlife, including Newts, Bats, Owls and Snakes that further add to its charm and qualities. This provides constant opportunities for many of the residents, to nature watch.

The original residents describe the Village Green as being there from 'day one', as part of Maes Y Ffynnon. It clearly was not added at a later date because it was never meant to be added, as it was an integral original feature, tying together the overall development to serve a village community. **(Appendix 2.1, Witness Statement).** It has always been called the Village Green by residents and as previously noted, is referred to as such in a range of documents, most notable the UDP of 1996 -2011, where Maes Y Ffynnon is described as, "a group of estate houses set around two village greens." **(Appendix 1.2).** The council has encouraged over the years its status as a Village Green and protected

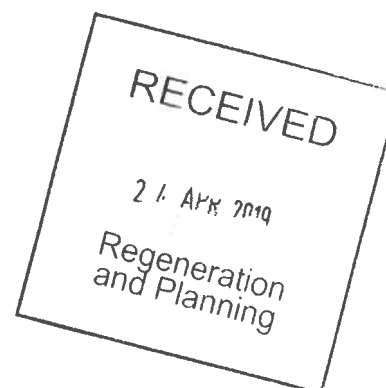


it from any change of use, development or building and has recognised the need for it to be kept as an area for childrens play, dog walking and a central space for socialising. This space has been used as a village Green 'as of right', since the 1950s and this continues today in 2019.

Since the mid-1950s there has never any restrictions imposed on the Village Green, in terms of its usage. It has not had any signage put up preventing ball games, play, community functions or dog walking. On the contrary, it has always been encouraged by the respective local authority, currently this is the Vale of Glamorgan Council, to be utilised for social activities and this was previously endorsed by Cardiff Rural District Council, when Maes Y Ffynnon was designed.

At no point has the Village Green ever been fenced off or any area been subject to the erection of a barrier preventing access to any part of the open space. This extends from the front where the bench is, to the north end where the garages once stood and the area of grass that backs onto number 24. All areas of this Village Green have been used by children, teenagers, adults, pet owners and the village at large for over excess of twenty years and this practice continues today. The village Green in Maes Y Ffynnon Bonvilston was designed along the same principles of supporting the need for social housing of the 1950s, as also apparent in the developments of Pendoylan, St Nicholas, Duffryn Close and Button Ride, and Peterston of the same time. All of these villages are supported by the same design and community inclusion principles as Maes y Ffynnon, Bonvilston and have recognised Village Green spaces.

There is a schedule of events planned for this year for activities to take place on the Village Green, including an early Summer event and Celebration for the August Bank Holiday weekend, Halloween and Bonfire night parties. The witness statements and evidence of current Village Green usage included to support this application represent the majority of the 'occupied' properties in the Maes Y Ffynnon estates. This application is also supported by residents of Village Farm and the St Nicholas and Bonvilston Community Council.



NAMES AND ADDRESSES OF WITNESS STATEMENT CONTRIBUTORS IN SUPPORT OF THE VILLAGE GREEN APPLICATION AT MAES Y FFYNNON.

HENRY CECIL MUSTOW	APPENDIX 2.1	17 MAES Y FFYNNON, BONVILSTON, CF5 6TT
THELMA MARJORIE WHITING	APPENDIX 2.2	10 MAES Y FFYNNON, BONVILSTON, CF5 6TT
LYNNE MARY PRICE	APPENDIX 2.3	9 THE PARADE, MERTHYR TYDFIL, CF47 0ET
GARETH MORGAN	APPENDIX 2.4	C/O 20 MAES Y FFYNNON, BONVILSTON, CF5 6TT
LEIGH IVORY	APPENDIX 2.5	23 MAES Y FFYNNON, BONVILSTON, CF5 6TT
CHRISTOPHER BROWN	APPENDIX 2.6	24 MAES Y FFYNNON, BONVILSTON, CF5 6TT
SIAN CLARKE	APPENDIX 2.7	21 MAES Y FFYNNON, BONVILSTON, CF5 6TT
TRACEY IVORY	APPENDIX 2.8	23 MAES Y FFYNNON, BONVILSTON, CF5 6TT
RHYS IVORY	APPENDIX 2.9	23 MAES Y FFYNNON, BONVILSTON, CF5 6TT
ALICE FISHER	APPENDIX 2.10	43 VILLAGE FARM, BONVILSTON, CF5 6TY
ROSEMARY FISHER	APPENDIX 2.11	43 VILLAGE FARM, BONVILSTON, CF5 6TY
CERI HUNT	APPENDIX 2.12	13 MAES Y FFYNNON, BONVILSTON, CF5 6TT
STEVE CLARKE	OPEN SPACES EVIDENCE QUESTIONNAIRE,	21 MAES Y FFYNNON, BONVILSTON, CF5 6TT
NICHOLAS HUNT	OPEN SPACES EVIDENCE QUESTIONNAIRE,	13 MAES Y FFYNNON, BONVILSTON, CF5 6TT
MARIANNE IRELAND	MYFRA MEMBER	2 VILLAGE FARM, BONVILSTON, CF5 6TY
PAUL IRELAND	MYFRA MEMBER	2 VILLAGE FARM, BONVILSTON, CF5 6TY
SUZI THOMAS (SUSANNAH THOMAS)	MYFRA MEMBER/COMMUNITY COUNCILLOR	4 MAES Y FFYNNON, BONVILSTON, CF5 6TT

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ST NICHOLAS
WITH BONVILSTON
COMMUNITY COUNCIL

Letter signed by
Chair of Community
Council on behalf
of council.
(Attached overleaf).

Chair FRANK SPREGG
Sarn Bach Bungalow
St Nicholas
CF5 6SG



St Nicholas with Bonvilston Community Council

CLERK: N. McGarrigle, 2 Maes Illtuds, Pentre'r Cwrt, Llantwit Major, CF61 2SD

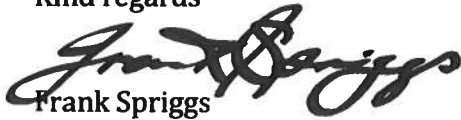
Website: www.stnicholaswithbonvilstoncc.co.uk Telephone: 07739580036

Email: clerk.snbcc@hotmail.com

19th April 2019

I, Frank Spriggs, Chair of the St Nicholas with Bonvilston Community Council, confirm that the Community Council fully support the application for Registration for the Village Green at Maes Y Ffynnon, Bonvilston and confirm that the Community Council consent to be joint applicants for the application for registration.

Kind regards



Frank Spriggs

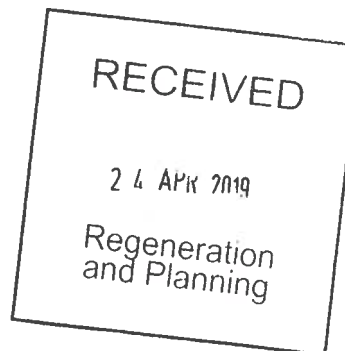
Chair of the St. Nicholas with Bonvilston Community Council

Sarn Bach Bungalow

St. Nicholas

Vale of Glamorgan

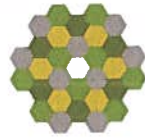
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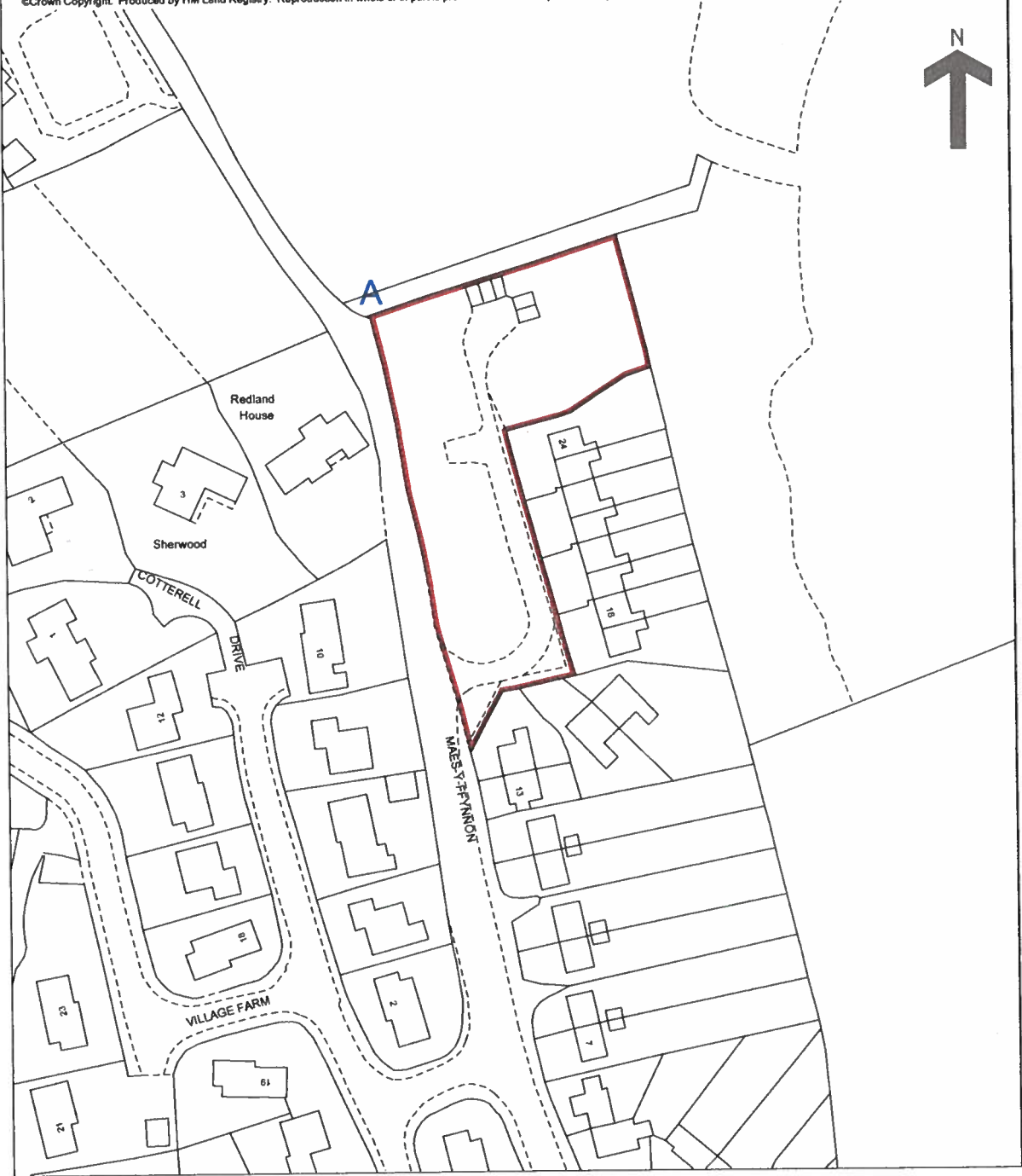
HM Land Registry Current title plan

Title number **CYM410667**
Ordnance Survey map reference **ST0674SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **The Vale of Glamorgan / Bro Morgannwg**

Appendix 1.1



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This copy of the title plan is incomplete without the preceding notes page.

Mae'r copi hwn o'r cynllun teitl yn anghyflawn heb y dudalen flaenorol o nodiadau.

Title Number : CYM410667

Rhif Teitl : CYM410667

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

Gweinyddir y teitl hwn gan Gofrestrfa Tir EM Swyddfa Cymru.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Mae'r detholiad canlynol yn cynnwys gwybodaeth o gofrestr y teitl uchod. Darperir copi llawn o'r gofrestr gyda'r ddogfen hon a dylech ddarllen hwnnw er mwyn sicrhau bod y manylion cryno hyn yn gywir.

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Nid yw'r detholiad hwn na'r copi llawn yn 'Gopi Swyddogol' o'r gofrestr. Derbynnir copi swyddogol o'r gofrestr fel tystiolaeth mewn llys i'r un graddau 'r ddogfen wreiddiol. Mae hawl gan berson gael indemnïad gan y cofrestrydd os yw'n dioddef colled o ganlyniad i gamgymeriad mewn copi swyddogol.

This extract shows information current on 13 FEB 2019 at 11:47:55 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

Mae'r detholiad hwn yn dangos gwybodaeth sy'n gyfredol ar 13 FEB 2019 am 11:47:55 ac felly nid yw'n ystyried unrhyw gais a gyflwynir ar 1 yr amser hwnnw hyd yn oed os yw'n aros i'w brosesu yng Nghofrestrfa Tir EM ar adeg darparu'r detholiad.

REGISTER EXTRACT

DETHOLIAD O'R GOFRESTR

Title Number	: CYM410667
Rhif Teitl	
Address of Property	: Land at Maes Y Ffynnon, Bonvilston, Cardiff
Cyfeiriad yr Eiddo	
Price Stated	: Not Available
Pris a Ddatganwyd	
Registered Owner(s)	: THE VALE OF GLAMORGAN COUNCIL of Civic Offices, Holton Road, Barry CF63 4RU.
Perchnogion Cofrestredig	
Lender(s)	: None
Rhodddwr Benthgy	

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Title number / Rhif teitl CYM410667

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 13 FEB 2019 at 11:47:55. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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Copi yw hwn o gofrestr y rhif teitl isod. Mae'n dangos y cofnodion yn y gofrestr ar 13 FEB 2019 am 11:47:55. Nid yw'r copi hwn yn ystyried unrhyw gais a gyflwynir ar l yr amser hwnw hyd yn oed os yw'n aros i'w brosesu yng Nghofrestrfa Tir EM ar adeg darparu'r copi hwn.

Nid yw'r copi hwn yn 'Gopi Swyddogol' o'r gofrestr. Derbynnir copi swyddogol o'r gofrestr fel tystiolaeth mewn llys i'r un graddau 'r ddogfen wreiddiol. Mae hawl gan berson i indemniate gan y cofrestrydd os yw'n dioddef colled o ganlyniad i gamgymeriad mewn copi swyddogol. Os hoffech gael copi swyddogol, mae gwefan Cofrestrfa Tir EM yn esbonio sut i wneud hyn.

A: Property Register / Cofrestr Eiddo

This register describes the land and estate comprised in the title.

Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

THE VALE OF GLAMORGAN/BRO MORGANNWG

- 1 (11.08.2008) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land at Maes Y Ffynnon, Bonvilston, Cardiff.

B: Proprietorship Register / Cofrestr Perchnogaeth

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

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

Title absolute/Teitl llwyr

- 1 (11.08.2008) PROPRIETOR: THE VALE OF GLAMORGAN COUNCIL of Civic Offices, Holton Road, Barry CF63 4RU.
- 2 (11.08.2008) A Conveyance of the land in this title and other land dated 9 January 1956 made between (1) William Powell & Sons Limited (Vendor) and (2) The Council For The Rural District of Cardiff (the Council) contains purchaser's personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

Schedule of personal covenants Atodlen cyfamodau personol

- 1 The following are details of the personal covenants contained in the Conveyance dated 9 January 1956 referred to in the Proprietorship Register:-

"The Council hereby covenant with the Vendors that they the Council or their successors in title will at their own expense forthwith make and for ever hereafter maintain along the eastern and northern sides of the said piece of land hereby conveyed a good and sufficient boundary fence and will form a new access to Enclose No 38 in the position marked A on

Title number / Rhif teitl CYM410667

Schedule of personal covenants continued Parhad o'r Atodlen cyfamodau personol

the attached plan to the Vendors` satisfaction using the existing posts and field gate from the existing access to enclosure No. 69 aforesaid."

NOTE: Enclosure 38 referred to is the field lying to the north of the land in this title. The point marked A referred to has been reproduced on the title plan.

C: Charges Register / Cofrestr Arwystlon

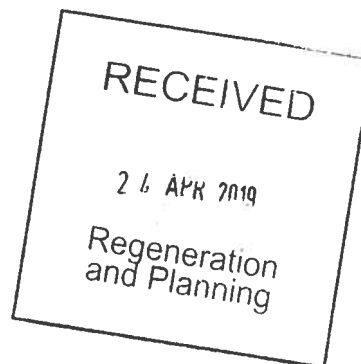
This register contains any charges and other matters that affect the land.

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

- 1 (11.08.2008) The land is subject to rights of support for structures and buildings erected on adjoining land.
- 2 (11.08.2008) The land is subject to rights of drainage and rights in respect of the supply of water, gas, electricity and other services.
- 3 (11.08.2008) The roads and footpaths included in the title are subject to rights of way.
- 4 (11.08.2008) The garage forecourts are subject to rights of way and user.
- 5 (11.08.2008) The land is subject to the rights granted by a Deed dated 6 May 1969 made between (1) Cardiff Rural District Council and (2) Frederick Arthur Lewis.

-NOTE: Copy filed.

End of register / Diwedd y gofrestr



Title number / Rhif teitl CYM410667

These are the notes referred to on the following copy of the title plan.

Dyma'r nodladau y cyfeirir atynt ar y copi canlynol o'r cynllun teitl.

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Nid yw'r copi hwn yn 'Copi Swydddogol' o'r cynllun teitl. Derbynnir copi swydddogol o'r cynllun teitl fel tystiolaeth mewn llys i'r un graddau 'r gwreiddiol. Mae hawl gan berson i indemnïad gan y cofrestrydd os yw'n dioddef colled o ganlyniad i gamgymeriad mewn copi swydddogol. Os hoffech gael copi swydddogol, mae gwefan Cofrestrfa Tir EM yn esbonio sut i wneud hyn.

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Mae Cofrestrfa Tir EM yn ymdrechu i sicrhau bod delweddau cynlluniau teitl o safon uchel a bod y raddfa yn gywir. Bydd ansawdd a chywirdeb unrhyw argraffiad yn dibynnu ar eich argraffydd, eich cyfrifiadur a'i osodiadau argraffu. Mae'r cynllun teitl hwn yn dangos safle cyffredinol, nid union linell y terfynau. Gall fod gwyrtdau yn y raddfa. Mae'n bosibl na fydd mesuriadau wedi eu graddio o'r cynllun hwn yn cyfateb mesuriadau rhwng yr un pwyntiau ar y llawr.

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

Gwelnyddir y teitl hwn gan Gofrestrfa Tir EM Swyddfa Cymru.

Supplementary Planning Guidance

CONSERVATION AREAS IN THE RURAL VALE

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*The Vale of Glamorgan
Adopted Unitary Development Plan
1996 - 2011*





*The Vale of Glamorgan UDP
Supplementary Planning Guidance*

CONSERVATION AREAS IN THE RURAL VALE



**Rob Quick, B.A. (Hons), Dip. T.P., MRTPI.
Director of Environmental & Economic Regeneration**

**Rob Thomas, B.Sc. (Hons), M.Sc., MRTRI
Head of Planning & Transportation**

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PLANNING CONSULTANTS
CONSULTANTS
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CONSERVATION AREAS IN THE RURAL VALE

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CONSERVATION AREAS IN THE RURAL VALE

1. INTRODUCTION

1.1 Background

1.1.1 Unitary Development Plans Wales (2001) indicates that Supplementary Planning Guidance may be prepared to provide additional information for the Unitary Development Plan (UDP). It must be issued separately and be made publicly available.

1.2 Status of the Guidance

1.2.1 This Guidance was approved for Development Control purposes by the Council on 6th January 1999, (Council minute no. 995 6/1/99 refers). This document has subsequently been updated in light of Planning Policy Wales (2002). This Guidance will be used as a material consideration in determining planning applications and appeals.

1.3 The Scope of the Guidance

1.3.1 The Unitary Development Plan sets out policies for the protection of the built and historic environment, and a number of policies within the document relate to conservation areas. This guidance note explains how the policies can guide the way we protect and co-ordinate development within Conservation Areas in the rural vale. The guidance relates to villages designated as conservation areas, and these are set out in part VI of this report. Many of the policies could equally relate to villages not covered by the designation, and for this reason, the guidance seeks to promote an understanding of the special character of all villages in the Vale of Glamorgan which can guide enhancement proposals in a variety of situations and locations.

1.3.2 The Guidance has been prepared to assist in the preparation and assessment of development proposals. This is a planning term which does not simply relate to new buildings or houses. It covers

alterations and extensions to buildings, highway or engineering proposals or changes to the use of a property or piece of land. All these developments can affect the character of a Conservation Area. The guidance sets out policy to guide development which requires planning permission, as well as guidance on how the wider character of each Conservation Area may be maintained.

1.3.3 Conservation Areas recognise the special character of an area, and provide for the protection and enhancement of groups of buildings, as well as their setting. This special character can be formed by a number of features. Trees and spaces, paved and hard surfaced areas, groups of buildings and their historic development, can all influence the character of the Conservation Area. This guidance seeks to identify common building themes and the landscape qualities that can be found within villages in the rural vale, and to reflect and complement a local vernacular in the presentation of policies. The Guidance follows advice in Welsh Office Circular 61/96 relating to 'Planning and the Historic Environment: Historic Buildings and Conservation Areas', (as amended by Circular 1/98) and Technical Advice Note (Wales) on Design. Both encourage Local Planning Authorities to prepare guidance based on a clear understanding of the character of an area.

1.3.4 Following this introduction, the guidance, is set out in three parts: the first, sets out policies for the protection of the village Conservation Areas, the second, sets out a set of 'tests' and 'design principles', which can be used to appraise development proposals. The third, sets out guidance on how to protect and maintain the features which contribute to the character of the Conservation Area. The policies are followed by an inventory of the village Conservation Areas to which the policies will apply. Each Conservation Area is described in brief and opportunities for enhancement are identified.

2. THE UDP POLICY CONTEXT

2.1 The guidance should be read in conjunction with policies set out in the "Built Environment" Section of the UDP, and in particular, Policy ENV20 which relates to development within conservation areas, and Policy ENV27, which relates to the design of new developments.

2.2 The guidance and the inventory of Conservation Areas which follows are the first steps towards the preparation of appraisals required by Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This places a duty on the Local Planning Authority to 'formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas'. Appraisals have been prepared for a number of Conservation Areas in the Vale of Glamorgan, and others will be prepared and adopted as part of a continuing programme of review.

3. THE SUPPLEMENTARY PLANNING GUIDANCE

3.1 The Background

3.1.1 The Vale of Glamorgan covers undulating countryside between the river Ely in the east and the Ogmore river in the west. Inland, the underlying limestone is fractured by shallow escarpments, and at the coast it forms dramatic cliffs. Further west the cliffs descend to the sand dunes beyond Ogmore. It is on this landscape that successive layers of settlement and culture have left their mark, giving the Vale its special character.

3.1.2 The geology of the area has not only determined its farming and settlement pattern, it has also determined the way houses have been constructed. The Vale is one of the few areas in Wales which once had ample supplies of good workable building stone and freestone. As a result, the area still displays modest houses with decorative stone work, and every village is framed and defined by boundary walls made of local stone. Timber is rarely used as a structural building material and is confined to ceilings and roofs. Thatching was once common in the Vale but slate has largely replaced this indigenous roof covering. With this change, there have also been structural changes to building form,

ridge and roof profiles. The variety of roof pitch and varied sky lines that result, all contribute to the character of villages in the Vale of Glamorgan.

3.1.3 Although rural house building is typically dispersed within farm holdings, the Vale is marked by nucleated villages, often possessing a Great House and church around which smaller cottages are set. This form derives from the manorial structure of the early communities of the Vale, again demonstrating the importance of the cultural history of the Vale in shaping the character of the villages.

3.1.4 Five periods of house building can be identified within the Vale villages. These are:

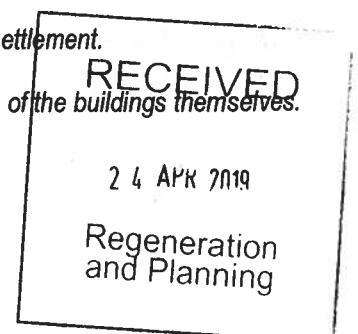
- *The pre-industrial buildings set around the Church and farm holdings which often form the nucleus of many Vale villages.*
- *Houses built during the Industrial Revolution. During this period, improved transport and the introduction of new materials lead to changes in traditional building patterns.*
- *Estate houses built for the agricultural community prior to 1915.*
- *Houses built by the former Rural District Councils and interwar housing estates. These were often developed in clusters on the edge of villages and still reflect many of the decorative qualities of the Arts and Crafts movement.*
- *Owner occupied contemporary housing set within single plots and possessing many different styles and materials.*

Each type of housing will benefit from the application and use of the guidance and policies set out next.

3.2 The Policies

3.2.1 The natural and man made elements described above combine to create the distinctive character of the Conservation Area in:

- *The landscape setting of each village.*
- *The shape of each settlement.*
- *The nature and form of the buildings themselves.*



3.2.2 The policies set out below seek to identify the features which contribute in a positive way towards the character of each Conservation Area. Because the policies have been prepared for all the Conservation Areas in the rural Vale, they cannot be prescriptive, but seek to promote an appraisal of site and context in the preparation and execution of development proposals.

3.3 The Historic Development of the Village

3.3.1 Most villages in the Vale have grown and evolved over time, and what can be seen today is often very different from the shape, form and purpose of the original settlement. There are many village forms in the Vale: some are clustered around Church and large farm holdings, or are placed at the junction of a number of routes. Others are linear and spread out along a road or coaching route. The way houses are placed, and the hierarchy of building patterns which emerge, often reflect the past social and economic structure of the community and determine the character of the village. The following policies seeks to recognise the cultural associations that the history of a village can provide.

IN PROPOSALS FOR NEW DEVELOPMENT, FEATURES WHICH DISPLAY AND RECALL THE EARLY HISTORY OF THE VILLAGE WILL BE PROTECTED.

NEW DEVELOPMENT WILL RESPECT ITS HISTORIC CONTEXT IN SCALE, FORM MATERIALS AND DESIGN.

3.4 The Landscape Setting of the Conservation Area

3.4.1 The earliest and most fundamental influence on the development of the village is the landscape. The shape of the land, the shelter provided, and the geology and drainage of the area all play a part in the form of villages in the Vale of Glamorgan. Although these factors are no longer a major influence in their form, they all contribute to the character of the village and evoke a strong association with the natural landscape. The qualities the landscape of the village provides can be found in:

- *The pattern of woods and fields which surround the village.*

- *The way trees, hedges and grass verges frame and shelter building groups.*

- *The way buildings are set over hillsides and along ridgelines, and within valleys.*

3.4.2 The sensitive use of a site's natural contours can play a major part in helping to tie development into the landscape of the village. Similarly, the appropriate use of tree planting, hedges, screen planting and earth mounding can play a significant part in creating shelter, and in framing and softening the introduction of new building forms into the village.

3.4.3 Trees within Conservation Areas are protected by Conservation Area legislation. Similarly, others are the subject of Tree Preservation Orders which recognise the value of individual, or groups of trees in the local environment.

PROPOSALS WILL PROVIDE FOR THE CARE, MAINTENANCE AND ENHANCEMENT OF TREES AND WOODLAND AREAS WITHIN CONSERVATION AREAS.

DEVELOPMENT WILL GIVE HIGH PRIORITY TO LANDSCAPE DESIGN, TO PROTECT AND ENHANCE THE EXTERNAL VIEW OF THE VILLAGE.

WHERE A VILLAGE CONSERVATION AREA INCLUDES LANDSCAPES AND GARDENS OF HISTORIC OR ARCHAEOLOGICAL SIGNIFICANCE, THEY WILL BE PROTECTED AND WHERE APPROPRIATE SHOULD BE ENHANCED.

3.5 Roads, Streets and Pathways in and around the Village

3.5.1 Villages in the Vale of Glamorgan reflect the former use of horse drawn vehicles within the area, and the importance of footpath links within the community and into countryside beyond. Now, few of the villages find it easy to accommodate motor vehicles, and traffic and parked vehicles often have an adverse effect on the visual and physical quality of the village Conservation Areas. One of the challenges of new development is to respond to the traditional road pattern and the restricted road widths that remain. New development and plans for parking and improved access need to satisfy highway standards for safety, but at the same time respond and respect the scale and intimacy which has evolved from the early road and building patterns. A flexible

approach to highway design that achieves safety through design is promoted:

WHERE HIGHWAY IMPROVEMENTS ARE REQUIRED, THEY SHOULD RESPECT THE CHARACTER OF THE CONSERVATION AREA.

PARKING AND ACCESS REQUIRED BY NEW DEVELOPMENT SHOULD BE ACCOMMODATED WITHIN DEVELOPMENTS, AND RESPECT EXISTING ROAD LAYOUTS AND THE CHARACTER OF OPEN SPACE AND GARDEN ENCLOSURES.

IMPORTANT FOOTPATH LINKS SHOULD BE PROTECTED AND ENHANCED THROUGH MANAGEMENT AND IMPROVED SIGNAGE.

IN REPLACEMENT AND REPAIR, ORIGINAL LOCAL DETAIL IN THE HIGHWAY SHOULD BE RETAINED AND REPAIRED. WHERE DUE TO COST AND PRACTICALITY, DETAIL CANNOT BE REINSTATED REPLACEMENT SHOULD BE UNDERTAKEN USING SYMPATHETIC MATERIALS AND FITTINGS.

3.6 Landmarks, Views and Vistas

3.6.1 The pattern of the landscape and the way a village has grown often determines the way the entrance to a village is perceived, as well as the way in which views in and out of the village and between building groups are achieved and enjoyed. The approaching view of a village can often show a settlement contained by trees, with post war housing development stretching beyond the nucleus of the village into open countryside. Elsewhere village forms can dominate the skyline and the village will appear as a straggle of houses and farm buildings along a road. The variety and quality of views in and out of a village is often determined by the distinctive features and landmarks provided by dominant buildings within. They can be formed by features such as a church tower, the dominant Great House of a village and its boundary gates and walls, or by the remains of a castle, ruin, or old farm buildings. These features are important and should be acknowledged and enhanced to ensure that new development does not mask or damage their quality as local landmarks.

SIGNIFICANT VIEWS INTO AND OUT OF THE VILLAGE CONSERVATION AREA SHOULD BE PROTECTED

AND ENHANCED WHERE OPPORTUNITIES ARISE. DISTINCTIVE ROOF PATTERNS, RIDGELINES, AND LANDMARK BUILDINGS OR FEATURES WILL BE PROTECTED AND ENHANCED WHERE OPPORTUNITIES ARISE.

3.7 Materials

3.7.1 The Vale of Glamorgan possesses many villages which still display the popularity of local natural building materials in their early development. The local limestone still predominates, and reflects local sources and skills as well. Near the coast, Blue Lias limestone is common, but to the north, carboniferous limestone is a traditional building stone, and pink sandstones are also used. Where the stone is of poor quality, it is often protected by limewashed renders. Slate roofs, or imitation slates now dominate the villages, though some thatching still remains. Brick is a recent building material in the Vale of Glamorgan, and appears in its earliest form in brick surrounds framing doors, window openings and as chimney stacks. Contemporary buildings across the Vale use a number of modern materials and show a wide diversity in style, colour and texture. However smooth white renders tend to be the most popular finish. This can be seen in the estate houses of the '50 and '60's building period, and in the commuter housing developments which have taken place within villages during the last thirty years.

3.7.2 The way materials are used and the detailing of elevations also have a profound effect on the character of buildings in the villages of the Vale of Glamorgan. The resulting scale, form and character of building is often more significant than the use of traditional building materials. The following policy seeks to establish a clear understanding of scale, form and execution of detail in the design of new housing and development.

MATERIALS MUST BE APPROPRIATE TO THE LOCALITY AND SYMPATHETIC TO THE EXISTING BUILDINGS IN THE CONSERVATION AREA.

3.8 Boundaries and Enclosures

3.8.1 Local materials are seen to their best advantage within field and plot boundaries, where hedges and walls reflect the early farming patterns and practices. Boundary walls are especially important in the Vale of Glamorgan and their character can be

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determined by the size of the building stone, its coursing and method of pointing. The local Blue Lias limestone, laid to course or in random rubble, with a flush lime based mortar is a common feature of buildings and boundary walls in the Vale of Glamorgan. Often they are interrupted or surmounted by railings, particularly where 19th Century development on the edge of the village has brought new materials and building forms to the fringe of the earlier pre-industrial street pattern.

3.8.2 There is often an attractive partnership of hedge with stone walling within the villages. This sort of boundary is common in the Vale and requires careful maintenance and protection using traditional repair and management techniques and the continuation of common hedgerow species.

STONE BOUNDARY WALLS, HEDGES AND RAILINGS WHICH ENHANCE THE CHARACTER OF THE CONSERVATION AREA SHOULD BE RETAINED, MAINTAINED AND REPAIRED. WHERE NECESSARY, NEW DEVELOPMENT SHOULD SEEK TO FOLLOW THESE TRADITIONAL BOUNDARY FEATURES.

3.9 Buildings and Spaces in the Village

3.9.1 The arrangement of buildings and open spaces within villages is often the key to their distinctive character. Their form should always be assessed early on in planning for new development and change in a village. New development should provide for both physical and communicating links with the existing village pattern. To achieve this, development should build on the existing network of open space within a village, and recognise the important links that they provide between shops, and homes and community facilities.

3.9.2 Open areas also play an aesthetic part in forming the character of the village. They can improve access into the surrounding countryside, frame vistas and provide important woodland backdrops to informal or straggling building groups.

THE DEVELOPMENT OF OPEN OR WOODLAND AREAS THAT CONTRIBUTE TO THE CHARACTER OF THE CONSERVATION AREA WILL BE OPPOSED.

NEW DEVELOPMENT WILL HAVE REGARD TO ITS LANDSCAPE SETTING AND RESPECT BOUNDARIES

AND ANY ESTABLISHED PATTERN OF PLOT COVERAGE IN THE VILLAGE.

3.10 Village Boundaries

3.10.1 To many, the impression formed on arrival into the village forms a lasting one. The approaching views and entry into the village are influenced by boundaries, hedges and plot sizes. Often these are formed by back gardens, farm yard buildings or garages, where temporary, or insubstantial boundary treatments are used and tolerated. Hedges are often depleted, and well defined boundaries are lost as a result. There is often a tendency to replace indigenous hedge and shrub species with fast growing coniferous screens. Their heavy appearance cannot be compared with the delicate, and muted colours and shape achieved by the local species such as thorn, privet, field maple and spindle. The following policy seeks to protect existing boundaries and guide proposals to consolidate or replace them.

TO ENHANCE THE VIEW OF THE VILLAGE FROM WITHOUT, NEW DEVELOPMENT WILL GIVE A HIGH PRIORITY TO THE TREATMENT OF BOUNDARIES AND SETTLEMENT EDGES.

3.11 The Management of Development, Change and Repair

3.11.1 The way in which development is directed and planned often influences the way it looks, as well as the appearance of the wider area. The restrictive approach to new development within villages of the rural Vale can lead to pressure to maximize the development opportunities of many sites, leading to development which is out of scale, and the loss of the character this guidance note has sought to identify. The following policies encourage an early appraisal of village form and set out a framework for the assessment of development proposals alongside a contextual assessment of the area within which they will take place.

THE LAYOUT AND DESIGN OF NEW DEVELOPMENT SHOULD ACKNOWLEDGE THE CONTEXT PROVIDED BY THE VILLAGE. TO DEMONSTRATE HOW THIS HAS BEEN ACHIEVED, DEVELOPERS SHOULD ALSO PROVIDE THREE DIMENSIONAL PLANS OR DRAWINGS TO SHOW HOW NEW DEVELOPMENT WILL RESPECT ITS SETTINGS.

WHERE A PROPOSAL FOR THE DEMOLITION OF A BUILDING WITHIN A CONSERVATION AREA IS TO BE FOLLOWED BY THE REDEVELOPMENT OF A SITE, CONSERVATION AREA CONSENT WILL ONLY BE GRANTED WHERE FULL PLANNING PERMISSION HAS BEEN PREVIOUSLY OR CONCURRENTLY GIVEN FOR THE REPLACEMENT BUILDING.

PROPOSALS FOR THE DEMOLITION OF A BUILDING SHOULD BE ACCOMPANIED BY THE APPROPRIATE RE-USE OF LOCAL INDIGENOUS MATERIALS WHICH REFLECT THE CHARACTER OF THE AREA.

4. A METHOD FOR ACHIEVING THE POLICIES SET OUT ABOVE.

4.1 Introduction

4.1.1 This section provides detailed guidance on how UDP policies can be achieved. The check list of design criteria set out below aims to enhance the character of the Conservation Area. The check list promotes a contextual approach to development which is flexible and does not discourage innovative contemporary design. The check list also sets out criteria which can be used to achieve the objectives behind Policy Env 18 of the Unitary Development Plan. It will serve as a basis for the assessment of planning applications within the Conservation Areas set out in Part VI

4.2 Design Principles

The following principles should be taken into account:

Context of the site: Take account of the wider setting of the site.

Recycle old buildings: When considering a site, the sensitive conversion of existing buildings should be a priority.

Preserve and enhance the character of the Conservation Area: Reflect the character of surrounding buildings and open spaces, but avoid mimicking architectural styles and creating pastiche buildings that undermine the character of the Conservation Area.

Materials and details: Use high quality, durable materials. These should complement surrounding buildings and landscape and pay attention to detailing as an integral part of the design.

Sustainability: Create buildings and open spaces which are adaptable, minimising the need for change in the village.

Scale: Design and orientate new development so that it reflects the scale and layout of the village.

4.3 A Sensitive Development Test.

To see whether these principles have been met, consider the following:

i) *Are there original, traditional buildings that should be used or restored within the site?*

To minimize disruption to the character of the Conservation Area, priority should be placed on re-using existing buildings.

ii) *Does the development fit into the fabric of the locality; the plots, building groups, roads and open spaces?*

These components form the basis of the Conservation Area. and reveal the historical development of the site and its setting.

iii) *Does the development reflect the scale of building in the Conservation Area?*

The development and its various parts should sit easily within the Conservation Area.

iv) *Do the materials used in the development reflect those which are prevalent in the Conservation Area?*

The range of traditional or natural building materials in the Vale of Glamorgan rural Conservation Areas is diverse. New development should use natural materials, or those which can complement their simple and organic qualities. The use of foreign stone should be avoided. This check list should be used to guide the submission of a planning application within the Conservation Areas set out within Part VI. The Local Planning Authority will require an applicant to provide information that can show how new development can relate to its site and setting. This could comprise before and after photos,

or context sketches showing the surrounding area and buildings and should demonstrate how the guidance has been acknowledged and followed.

REFERENCES.

The guidance has been prepared with the benefit of advice and information from the following documents:

**Planning and the Historic Environment:
Historic Buildings and Conservation Areas.** Welsh
Office Circular 61/96 HMSO

**Planning Policy Wales
Technical Advice Notes (Wales) 12: Design**
NAW 2002

Inventory of Ancient Monuments in Glamorgan
RCAHM (Wales) HMSO

Cardiff and The Valleys
Hilling J.B. 1973.
Lund Humphries Publishers Ltd.

Houses of the Welsh Countryside
Smith P. RCAHM 1975 HMSO

The Buildings of Wales: Glamorgan
Newman J. 1995 Penguin Books

Ideal Homes for Rural Wales
A Research Study for the Countryside Council for
Wales.

**Village Design : Making Local Character Count in
New Development**
The Countryside Commission 1996

The County Treasures Survey.
Prepared by the former South Glamorgan County
Council.

5. GUIDANCE ON REPAIR AND ALTERATION

5.1 Introduction

5.1.1 This section provides advice on how to protect the Conservation Area by the repair and enhancement of some of the original and historic features which form an area's special character.

5.2 Alterations and Extensions to Buildings in a Conservation Area

5.2.1 The character which justifies the designation of a conservation area can easily be damaged by the cumulative impact of minor alterations to buildings forming the historic core of many of the Vale's village conservation areas. This can include the replacement of windows, doors and roofing materials or the addition of domestic extensions.

5.2.2 The following notes set out some simple advice on how to approach the repair of old buildings in the village. A planning officer can advise on the need for planning permission. Where consent is required, it is advisable to discuss proposals with a planning officer before the submission of an application. Work which alters a Listed Building will usually require Listed



*The St. Hilary Conservation Area.
Many buildings show materials and decorations which
are typical of the local building tradition.*

Building Consent. Again it is advisable to seek advice before preparing plans or undertaking work.

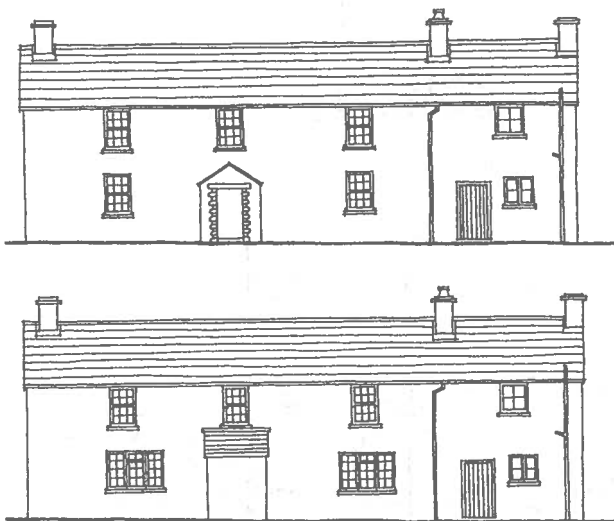
5.2.3 In all work, the key to a successful repair is to understand and respond to the local building tradition.

Windows

5.2.4 It is often the simple arrangement of door and window openings in the building face which account for their quality. The replacement of an original set of windows in a house or cottage can often damage the look of a house, or the overall effect of a terrace or group of houses. Where repairs are undertaken, original window patterns should be followed and modern materials avoided.

5.2.5 In replacement, multi divided and asymmetrical frames should be avoided, so should modern materials such as UPVC, or stained hardwoods, if they cannot reflect the simple qualities described above.

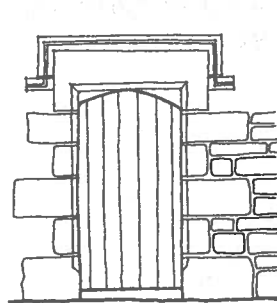
5.2.6 It is often possible to have original windows overhauled, rather than replaced. If a window does need to be replaced, there are local joiners who can make a replica. Grant aid may be available through the Vale's Historic Building Grant Programme. A planning officer can advise you on how to approach repair and the feasibility of grant aid.



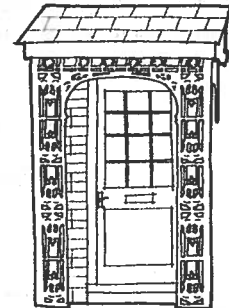
The removal and replacement of original windows can upset the balance of a house

Doors

5.2.7 Simple timber panelled doors with a limited area of glazing remain appropriate for most houses in villages within the Vale of Glamorgan. Doors which mimic materials from different periods should be avoided as should modern materials such as UPVC.

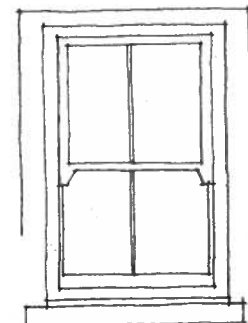
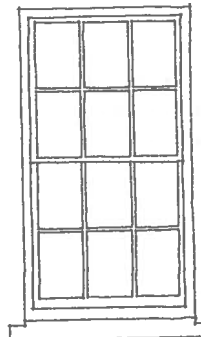


An early door surround with stone drip mould

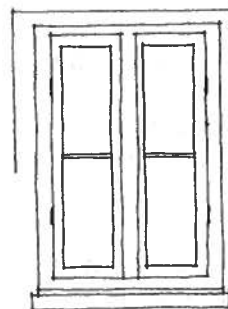


Decorative porches are a common feature of 19th century village houses

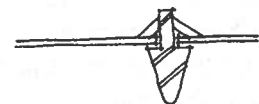
5.2.8 The same principles apply to garage or garden gates or doors. Each should reflect the proportions and simple architectural details used on the main building. Horizontal boarding and panelling should be avoided.



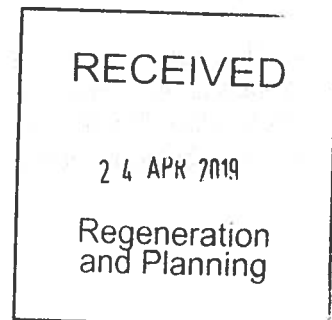
Victorian windows continue the vertical emphasis of the Georgian window openings



This is a traditional design often used in cottages

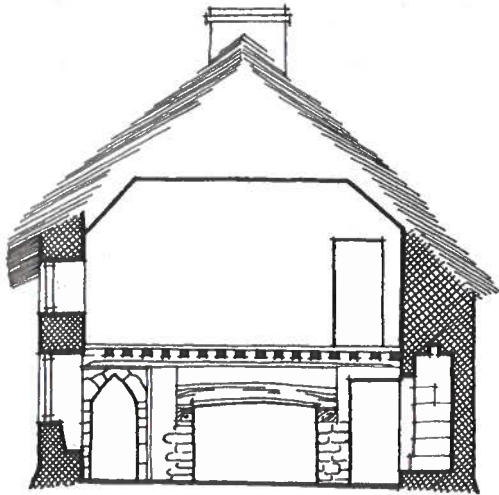


Fine glazing bars can reflect daylight

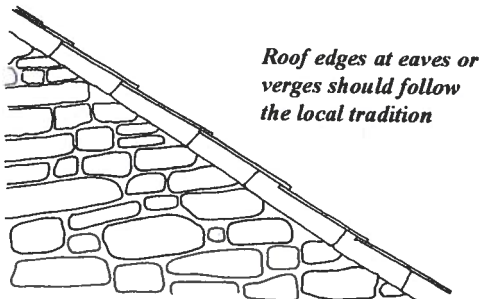


Roofs

5.2.9 Thatch was once a common roof covering in the Vale, but is now largely replaced with slate. Where thatch does remain, it should be protected and maintained by craftsmen with skills in handling the appropriate material. Within the Vale this could be either reed or long wheat straw. It is important that historic thatching, original details and supporting roof structure are retained in the repair and renewal of roofs.



The Bush Inn, St. Hilary. This section shows a thatch roof together with important internal features



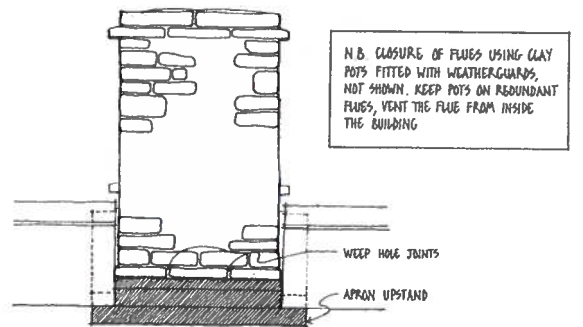
However, some artificial slates are manufactured with rougher edges and minor surface texturing. These may act as an acceptable visual alternative.

5.2.12 Pennant stone slates are exhibited on the more important larger domestic buildings as well as on farm buildings. It is an increasingly rare local detail which should be retained and repaired whenever possible. Stone slate is always laid in diminishing courses from eaves to ridge.

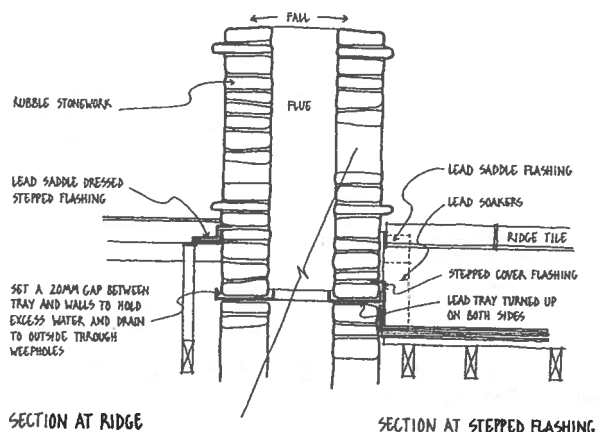
5.2.13 When roofs are replaced, traditional details should be recorded and replaced in the same way. Roof edges (at eaves or verges) should follow the local tradition. Often roof slates will overhang the gable end of the wall, with vertical slates set under to protect the end rafter. Timber bargeboards and fascias should follow the original size and profile as should the materials and design of replacement rain water goods.

Chimneys

5.2.14 Stone chimneys in old houses are an important part of the architecture and often provide clues to the age of a house. In the Vale of Glamorgan, there are many open hearths in houses constructed from the 16th Century onwards, whose



FRONT ELEVATION



SECTION AT RIDGE

SECTION AT STEPPED FLASHING

5.2.10 Natural Welsh slate is now the most common roofing finish and in many cases was used to replace thatching to older buildings in the late 19th century. On listed buildings, it is required that natural slate laid to the same detail is used as a replacement finish in any repair. It is recommended that contractors with experience in laying natural slate are employed.

5.2.11 On unlisted buildings in conservation areas, natural slate can often be a viable alternative to imitation slate. The latter can alter the appearance of an historic building in subtle but damaging ways.

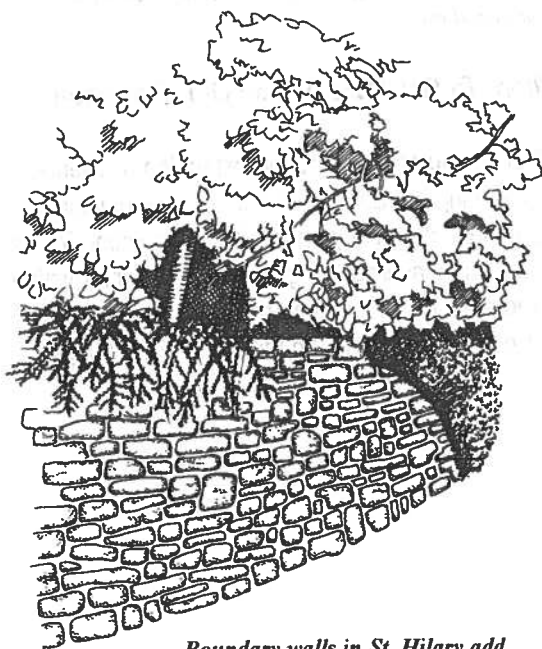
large chimneys are often fine examples of local stonework. In repair, such stonework often simply requires repointing. The method and mortar mix should always match the original finish. When a chimney does need to be rebuilt, it should be recorded by drawings and photographs and rebuilt in replica, reusing any sound old materials for the external face. Even when a flue is redundant, clay pots should be retained.

Stonework/ Wall Finishes

5.2.15 Local limestone is the traditional building material in the rural Vale. Its mellow cream and grey tones are found on boundary walls, farms and domestic buildings in most villages and give each a close affinity with their landscaped setting.

5.2.16 The stone is often roughly squared, laid in random rubble courses and was normally finished with a protective limewash. The size, colour and shape of stone varies according to local source, and the age and importance of the building it forms.

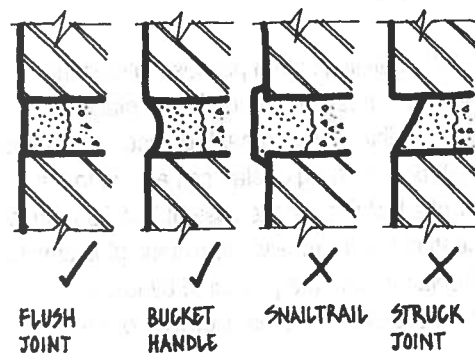
5.2.17 The local stone is rarely used for dressings in and around windows/doors. In the best architecture of the 16th and 17th century, local Sutton and Quarella sandstones are used in dressings. From the 19th century, bathstone and local brickwork was used for this purpose.



Boundary walls in St. Hilary add to the character of the village

It is important that historic stonework is correctly repaired and replaced. It is essential that existing stone is repointed in a manner which is appropriate to the original building method. The use of lime putty based mortars is recommended, as the introduction of dense, cement based mixes will cause problems of moisture retention in traditional stone walling.

5.2.18 The actual repointing technique is also important. On original stone work, repointing may be recessed, or lie flush with the stone, and this pattern should be followed for new work. "Snailtrail" repointing, or repointing that stands proud of the stone should be avoided.



Repointing on old buildings

5.2.19 A white limewash applied regularly to stone walling is a traditional method of maintaining and protecting local stone.

5.2.20 Attention should be paid to stone work patterns used on extensions. Random rubble limestone walling is frequently used on original buildings in the village. New stone work should be laid in similar patterns, with free stone or brick dressings set around doors and windows where appropriate. A painted smooth lime based render is an alternative.

Walls and Enclosures

5.2.21 Boundary walls should be regarded as an extension of the building they protect. They define ownership, provide privacy and protection from wind and rain. Most importantly, walls define space. New walls should seek to fulfil the same objectives. Natural stone walls define the character of each village and should be repaired and retained where possible. Grant aid may be available for repair which can show

traditional repair techniques following the local vernacular. Black painted iron railings on a stone base are common in the Vale and can be replaced using profiles and designs easily manufactured by local smithies.

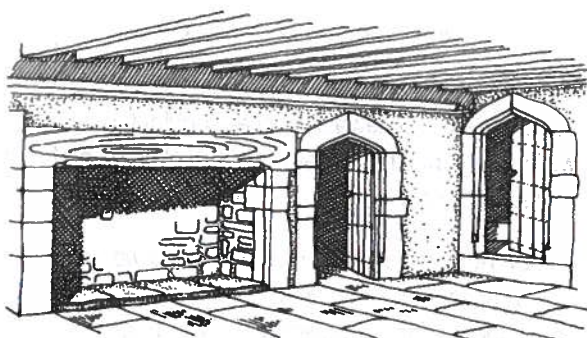


*Gate and pillar,
Great House, Llanmaes*

5.2.22 Artificial stone or concrete screen walling is alien to the area and should be avoided, as should chain link, timber or brick panelled fencing sections.

Internal Details

5.2.23 Older buildings often possess interesting details within. These should be left in place wherever possible. An original fireplace, a panelled door, an attractive ceiling or stair can all add to the character of a building. In the case of listed buildings, internal features (e.g. timberwork, historic plasterwork, doors, fireplaces etc.) are protected by law and consent is necessary for their alteration or removal.



Original internal features of listed buildings are protected

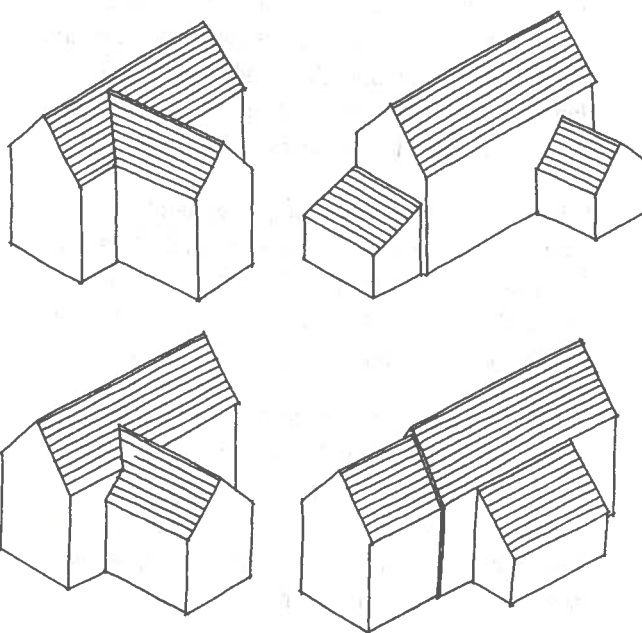
Extensions To Existing Buildings

5.2.24 The key to good design is to understand and respond to the characteristics of the local building tradition. The older the house, the more important it is to retain its character and long standing relationship with adjoining buildings.

5.2.25 The main elements of roof, wall and windows should combine in such a way that the architectural balance of the original building is protected. In the rural Vale, many farm houses and village groups use a simple composition where doors and window

openings are closely related. This should be protected by acknowledging the symmetry already in place, for example by setting back the building line of an extension, or by dropping its ridge line to below that of the original house. The height and shape of this roof line is important and is often determined by the original roof characteristics.

5.2.26 In acknowledging this simple building hierarchy, new development can add to and enhance the complex building form and skylines created by traditional village groupings.



The scale and design of an extension should always be subordinate in scale to the main house, as these examples show

Where To Get More Advice Or Information

5.2.27 If you are considering extending or altering your building it is advisable to contact the planning department at an early stage. A Development Control Officer will be available to give advice and information on the need for planning permission. More detailed advice is also available on the repair of buildings.

6. VILLAGE CONSERVATION AREAS: AN INVENTORY

6.1 Introduction

6.1.1 This inventory sets out a brief description of Conservation Areas for which the policies apply, and aspects of character or appearance which define each area's special interest. The buildings identified do not constitute a definitive list of those which contribute to the character of a Conservation Area, but seek to identify buildings which for historic or architectural reasons, make a positive contribution. The inventory covers the following Conservation Areas: Aberthin, Boverton, Bonvilston, Broughton, Colwinston, Drope, East Aberthaw, Flemingston, Gileston, Llanbethery, Llancadle, Llanccarfan, Llandow, Llangan, Llanmaes, Llanmihangel, Llantrithyd, Llysworney, Michaelston Le Pit, Monkash, Pendoylan, Penmark, Peterston Super Ely, Porthkerry, St. Brides Major, St. George, St. Hilary, St. Nicholas.

6.2 Aberthin

Description

6.2.1 The Aberthin Conservation Area is set around the valley of the Nant Aberthin to the east of the A4222.

6.2.2 The conservation area has two distinct and different parts: the cluster of houses set around the pubs and village hall at the main road junction; and the quiet backwater of cottages and houses which line the brook as it runs below Stalling Down.

6.2.3 The village is of historic interest and is presumed to be the site of Villa Fratus, an important religious house referred to in the early local record: The Book of Llandaff.

6.2.4 More recently, the village developed as an early centre of non-conformity. One of the first Methodist Chapels in the county was built in 1749 for the Aberthin Society. The present village hall in Penylan Road is the chapel which replaced it in 1780.

6.2.5 The Great House occupies the site of an earlier building but now stands as an important 17th Century house set within walled gardens and

entered by a gatehouse on its southern boundary. The house and contemporary gatehouse retain their original features and provide a fine example of domestic building of the period. The symmetrical front elevation of the house has square headed mullion windows at two main floors and in three large gabled dormers.

6.2.6 The enclosing garden wall aligns with the gatehouse, a rectangular two storey building of rendered stone with dressed stone openings. This attractive group together with the buttressed brook and roadside verges give this part of the conservation area its special character, and continues to the west in the setting it provides Aberthin House, The Sweetings and Sunnybridge.

Landscape and Trees

6.2.7 The stream and the wayside verges on Llanquain Road determine the special character of the Conservation Area. This road nestles below Stalling Down; and is framed by trees and mature hedges on its southern side.

6.2.8 Beyond, the character of the village becomes more urban as contemporary housing along the A4222 dominates the earlier wayside inns and cottages.

Listed Buildings

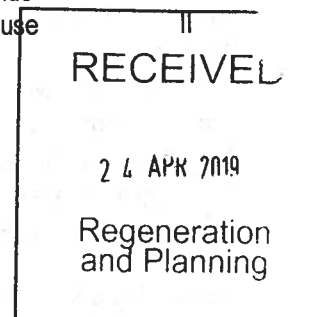
- | | |
|-----------------------------------------------------------------|-----|
| • The Great House | II* |
| • Gatehouse and Bridge to Great House | II |
| • The Sweetings | II |
| • The Telephone Call Box outside the Farmers' Arms Public House | II |

Other Buildings of Note

- Aberthin Cottage
- Aberthin House
- Sunnyside
- The Village Hall

Key Issues

- The care and management of wayside verges and boundary walls which define and enhance the character of the conservation area.



- The care and management of trees and hedges which define the eastern course of the Aberthin Brook and the gardens which enclose the historic building group.
- The protection of the attractive open watercourse and its stone retaining walls and bridges.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.3 Bonvilston

Description

6.3.1 Bonvilston Village lies on the A48 and comprises a loose knit, but continuous line of houses, buildings and boundary walls set along the A48. The Conservation Area includes land and buildings between Sheepscode Cottage in the east to Ty Groes Farm in the west, and extends northwards to include part of an extensive estate of detached houses built during the 1970s.

6.3.2 The origins of the village are ancient; the remains of two Roman settlements lie to the north and west, and its name is derived from the family of Simone de Bonville whose manorial possession dated from the 12th Century the family name. The village's name and Welsh title Tresimwn is derived from the family name.

6.3.3 The centre of the village lies at its western end in a group comprising church, Ty Mawr and Manor Cottage. From there, the road descends past stone retaining walls into open countryside and a straggle of houses ending at Ty Groes Farmhouse. At the eastern end lies another building group; this time having an informal and rural character. It includes Maes-y-Fynon, a group of estate houses set around two "village greens" and runs east to include Court Farm, Sheeps Court Farm and cottages and their respective yards; paddocks and outbuildings.

Landscape and Trees

6.3.4 The village is framed and enriched by the presence of substantial trees and woodland groups set within gardens and around the church yard. The Old Estate buildings which remain deep within the Bonvilston estate are also partnered by tall Scott

pinetrees, highlighting the early history of Bonvilston House and the importance of the village in the rural hinterland.

6.3.5 Because of its linear form, the conservation area retains a number of fields bounded by hedges and retaining walls. These have been reflected successfully within boundary walls fronting contemporary housing which has replaced a petrol filling station opposite The Red Lion.

Listed Buildings

- Bonvilston Cottage (II)
- Church of St. Mary (II)
- The Churchyard Cross at The Church of St. Mary (II)
- The Village Farm House (II)
- Great House (II)

Other Buildings of Note

- Church Cottage
- The Lodge
- Sheepscode Farm and Cottages
- Sheepscode Cottage
- The Red Lion Public House
- Red Lion Cottages
- Gate piers and remnants of stables, Village Farm Estate.

Key Issues

- The maintenance and consolidation of stone boundary walls which line the A48.
- The protection and enhancement of the two rural housing estates at Maes-y-Fynon.
- The mitigation of the effects of fast moving traffic along the A48.
- The maintenance and enhancement of tree groups which frame the Church at the centre of the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.4 Boverton

Description

6.4.1 Despite lying on the western boundaries of Llantwit Major, Boverton still retains its character as a quiet rural backwater. The Conservation Area extends from the shopping precinct on Boverton Road to the outer limits of Boverton Place Farm yard and the B4265 in the east. This generous boundary permits the enclosure of the nucleus of the rural village and the outlying remnants of the historic Boverton Place. This complex comprises the ruined mansion farm buildings and historic boundary walls. The conversion of farm buildings within the grounds has led to a change in the character and function of the group, as well as the enfolding landscape, as gardens, garages and drives have replaced the paddocks and yards which once supported each farm.

6.4.2 The importance of Boverton Road as an eastern access to the larger town of Llantwit Major has shifted and realigned the centre of the village to the contemporary shops which lie at the junction of Boverton Road at Old Tyle House. The boundary walls which surround Boverton House reinforce the identity of the village, directing fast moving traffic away from the lane along which cottages, farms and outbuildings are set.

6.4.3 Boverton House and Orchard Farm are both substantial buildings set within wooded grounds. Boverton House is a fine three storey rendered and stuccoed house dating from the late 16th Century. It is set back from the road behind stone walls with a fine central gateway with cast iron railings.

Landscape and Trees

6.4.4 The village is set on level ground which forms the coastal plain of the Vale of Glamorgan. The landscape is domestic in scale and formed by trees and gardens around each farm complex. To the east, the lane is bounded by thorn hedgerows.

6.4.5 The River Hodnant passes to the west of the village, meandering around a rough flood plain towards the road and bridge at Boverton Road. The eastern end of the village is marked by a stone gate tower and wall which bounds the copse surrounding Orchard Farm.

Listed Buildings

- Door and walls of gardens to the west of Boverton House (II)
- No. 4 and "Navron", The Causeway (II)
- Nos. 1 and 2 Boverton Court Farm (II)
- Boverton House (II)
- Boverton Place (II)
- Boverton Place farmhouse (II)
- Tyle House (II)

Other Buildings of Note

- The tower and walls adjoining Orchard House

Key Issues

- The enhancement of the shopping precinct at Boverton Road where opportunities arise.
- Provision for the repair and protection of buildings of historic and archaeological interest.
- The investigation of opportunities for the improved interpretation of historic buildings.
- To maintenance and protection of stone boundary walls which define and enhance the village street.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.5 Broughton

Description

6.5.1 The village of Broughton lies between Wick and Monknash, 3 miles west of Llantwit Major. The major part of the village has grown on the western side of the Lane which runs from the ancient well at Nash Brook in the south to a small green at the outer limits of Wick. The village has a distinctive building pattern derived from dwellings with gables set at right angles to the road. The houses, though dating from different periods, are spaced along the road at regular intervals and occupy generous plots.

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6.5.2 More recent development to the north has disrupted the rhythm established by the gables and roadside hedge or wall. Here some houses front the road, and there is some reduction in plot size.

6.5.3 At the northern end of the settlement; four farms are grouped around a small roadside "green".

6.5.4 The buildings are predominantly of stone, in many cases rendered and colour washed with slate covered roofs. The stone garden walls with high sheltering hedge banks on the opposite side of the lane add to the character of the village.

Landscape and Trees

6.5.5 The conservation area is set on the windswept coastal plain and is framed on either side by fields and hedges.

6.5.6 The lane which defines the linear form of the village is set deep within high sheltering hedge banks; and stone boundary walls.

6.5.7 In the north, West House and surrounding farms enjoy the protection of mature trees which enclose the northern nucleus of the village.

Listed Buildings

- Brooks Farm and outbuildings (II)

Other Buildings of Note

- Box Cottage
- West House
- Little West Farm
- The Old Shop
- The Former Carpenters Arms
- Plas Newydd
- Le Chateau
- West House Cottage

Key Issues

- The care and management of wayside verges and boundary walls which define and enhance the linear form of the conservation area.

- The recognition and affirmation of the distinctive alignment of buildings to the road.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.6 Colwinston

Description

6.6.1 Colwinston comprises a conservation area of approximately 100 dwellings. Some two thirds of these are of recent construction; 17 buildings may be identified as dating pre-1990.

6.6.2 The village exhibits a strong pattern of east-west alignment. Rural lanes converge around Saint Michaels and All Angels Church (in the west) and Colwinston House (in the east). Between these two areas, modern infill housing has substantially added to an earlier settlement pattern based upon farms, such as Village Farm, Church Farm and the Sages. Other, earlier building types are exemplified by Church, Chapel and Parsonage.

6.6.3 Older buildings within the village exhibit a more informal relationship and frontage with the road. Stone walling encloses front gardens, and provide enclosure. Modern housing layout and road alignment has damaged the earlier character of the conservation area, and the extent of change is so great that few opportunities now exist to complete the modern pattern of infill.

Landscape and Trees

6.6.4 The village is prominently located within the wider landscape and is visible at a distance from the south, south-west and south-east. From within the village, good views of the surrounding countryside are available between buildings, particularly southwards towards the channel coast.

6.6.5 The interaction of local stone walling and treescape is most apparent in the east, around Colwinston House. In the west, the Church is located within a local valley. It forms an important site contained within stone walls. The effect of enclosure through walling, sunken lanes and treescape is of particular value in the village environment.

Listed Buildings

- Church of Saint Michaels and All Angels B
- The Old Parsonage II
- The Sages II
- Village House II

Other Buildings of Note

- Colwinston House
- Colwinston House (garage)
- The Ramblers
- P.O. Box outside the "Ramblers"
- Village House
- Yewtree House
- Yewtree Cottage
- Chapel Cottage
- Seion Chapel
- Forge Cottage
- Village Farm
- Lower House Farm
- Church Farm
- School House
- Former Village School
- Pen Lan
- Church Cottage
- Church Cross and Stone Altar, Saint Michaels Church
- Ty Maen Farm

Key Issues

- The maintenance of the local environmental framework provided by local stone boundary walls to front gardens and on road frontages.
- To progress the local enhancement in the area of Saint Michaels Church.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.7 Drope

Description

6.7.1 Drope is a hamlet comprising a farm and small group of houses set adjacent to the lane which runs from Michaelston-Super-Ely to St. Georges. The largest building in the hamlet is the Rectory, an early Victorian building sited within a group of mature trees on the south side of the lane. Opposite lies Drope Farm, a substantial three storey farmhouse adjoining a courtyard of stone buildings. Planning permission has been granted for their conversion.

Landscape and Trees

6.7.2 The village is enclosed by trees and hedges and stands isolated from major development to the east of the "Ely Spur". A dismantled railway embankment lies to the north of the settlement.

Listed Buildings

None.

Other Buildings of Note

- The Rectory
- Drope Farm
- Rose Cottage

Key Issues

- The sensitive repair of farm and agricultural buildings within proposals for their conversion.
- The protection and repair of stone boundary walls adjoining the highway.
- The care and management of open verges and important tree groups which frame the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.8 East Aberthaw

Description

6.8.1 East Aberthaw is a hamlet overlooking the estuary of the River Thaw which has been important in the past as a port serving the South Wales Coast

and the Bristol Channel. The port operated until the mid nineteenth century when the river trade declined. The railway was constructed and finally the power station developed to the west of the river.

6.8.2 The form of the village still displays this early trading importance with cottages, inns and houses grouped around the east/west route known as Port Road. More recently, the industrial activity of the area, lead to the 19th and 20th century additions to the village. Station Terrace, built in 1899 and Burton Terrace built in 1914, are both attributable to the mineral wealth of the area, the growth of the railway, cement works and Power Station

6.8.3 The stone cottages and houses at the centre of the village form its special character. The Blue Anchor dates from the 14th Century and is a fine stone building with thatched roof placed at the centre of the village. Marsh House was once a public house too, but is now an attractive rendered house with slate roof. These buildings, together with 1 and 2 Marsh Cottages and the adjoining granary and outbuildings provide some indication of the earlier importance of the village.

6.8.4 The open car park adjoining the station undermines this historic nucleus and opens the village to views of the railway embankment and power station beyond.

Landscape and Trees

6.8.5 East Aberthaw lies on the edge of the Thaw estuary on the exposed coastal plain which lies between Port Road and the coast. Tree cover is sparse and set mainly within gardens and the protective tree banks to the south of Aberthaw Quarry. Embankments and sidings adjacent to the railway and to the west of Well Road define the western limits of the village

Listed Buildings

- Marsh House II
- The Blue Anchor Public House II*

Other Buildings of Note

- Upper House Farm
- 1 and 2 Marsh Cottages

- The Granary

Key Issues

- The protection and management of important tree groups and the wooded embankments which frame the village to the west.
- The protection and repair of stone boundary walls adjoining the highway.
- The enhancement of open land created by surface car parking within the centre of the village when opportunities arise.
- The consideration of proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.9 Flemingston

Description

6.9.1 Flemingston lies on the eastern edge of the Thaw Valley in an elevated position on the ridge line running from north to the south. The conservation area is drawn around the entire settlement which has grown around the junction of a number of rural roads. The village comprises a number of farm holdings and supporting outbuildings, together with the houses and cottages which have been built around them.

6.9.2 The settlement is laid out in a simple grid between Court Farm at the western entrance and Gregory Farm on the eastern ridge line. Cwrt-yr-lolo lies to the west.

6.9.3 The village's function as a community set around three main farms has produced a number of stone agricultural buildings. Although many are still in use, or have been supplemented by contemporary farm buildings, those at the centre of the village have been converted to residential use. Their simple stone form, with brick openings and slate roofs endure, despite their domestic use.

6.9.4 The farm houses around which these building groups have developed, are the oldest buildings in the village. These are Flemingston Court, Gregory Farm, Glebe Farm and White Farm.

6.9.5 Beyond lie small groups of estate cottages ranging from the 19th Century "New Cottages"

constructed in render and stone and set within cottage gardens and orchards, to the contemporary Cwrt-yr-lolo at the western entrance to the village.

6.9.6 A number of contemporary houses have been built within orchards and gardens. These have all sought to follow a local style and vernacular.

Landscape and Trees

6.9.7 The dramatic location of the village provides extensive views to the south which can be seen in glimpses towards the Thaw Valley between houses and across roof tops to the east.

6.9.8 The settlement remains agricultural in character with the building, barns, and hay stores occupying prominent positions on the edge and within the settlement.

6.9.9 The profile of buildings set on the ridge line is enhanced by the presence of a number of tall Scots pines set within the gardens of the Old Rectory, and around the church. In other areas, landscaping is domestic in scale and is formed by hedges, gardens and orchard trees. All frame the buildings and bound the rural lanes which run through the village.

6.9.10 An open paddock on the west of the church enhances its setting and that of the enclosing walls of medieval Flemingstone Court.

6.9.11 The setting formed by hedges and boundary walls play an important part in the character of the conservation area. They follow the line of roads and plot boundaries, and are in the main constructed in the local Blue Lias limestone.

Listed Buildings

- Flemingston Court Farmhouse (II)
- Barns at Flemingston Court Farm (II)
- Telephone kiosk north of Parish Church (II)

Other Buildings of Note

- The Rectory
- Gregory Farm
- Rose Cottage

- Church Cottages
- The Church

Key Issues

- The maintenance care and enhancement of trees and woodland areas.
- The protection and restoration of stone boundary walls and hedges which surround the village.
- The identification and protection of important open areas which determine the character of the village.
- The enhancement and management of roadside verges within the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.10 Gileston

Description

6.10.1 Gileston is at the eastern end of the Glamorgan Heritage Coast. It is a small hamlet framed by woodland which rests above the low coastal plain behind Aberthaw Power Station and Limpert Bay. The growth of the village in response to the needs of the local farming community has determined its present form, comprised of substantial barns and agricultural buildings set around the junction of three lanes. Although a number of these buildings are now converted to residential use, the village retains an arrangement of stone buildings set within farmyards to east and west of the village centre. Gileston Farm is closely associated with Gileston Manor and is linked by stone boundary walls which run north from the village. The manor lies within heavily wooded grounds, and with church and stable block comprises an outstanding group of listed buildings.

6.10.2 There have been modern extensions to the village to north and south. Detached houses using a wide variety of building styles and materials do not rest easily with the local building vernacular found at the centre of the village. The southern limit of the conservation area is marked by an early quarry in

which three detached houses of contemporary design are set.

Landscape and Trees

6.10.3 The conservation area includes the village and surrounding land forming a shallow ridge lying above flat countryside which runs south to the coast. Approaching views from the north show a settlement contained by trees within Gileston Manor, adjoining graveyard and farmhouse grounds.

6.10.4 Thorn hedgerows grow along the approach roads and blend well with the stone boundary walls running into the village.

6.10.5 Hedgelines and field boundaries are still in good condition and mark the outer boundaries of the conservation area.

6.10.6 The village retains informal grass verges save on its north eastern section where a suburban road layout serves contemporary extensions to the village.

Listed Buildings

- The Church of St. Giles (B)
- Gileston Manor (II)*
- Telephone kiosk at the road junction in the centre of the village (II)

Other Buildings of Note

- Rose Cottage

Key Issues

- The maintenance of the informal arrangement of building groups at the centre of the village.
- To management and protection of woodland groups within the gardens and estate grounds which mark the outer limits of the village.
- The enhancement and management of roadside verges and village "green" at the centre of the village.
- The protection and repair of stone boundary walls adjoining the highway.

- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.11 Llanbethery

Description

6.11.1 Llanblethery is a linear village which has developed beyond the original settlement which was built around one of eight ancient chapels associated with Llanancarfan. Although these early origins are no longer visible, the linear form of the village remains with houses set within generous garden plots facing the road.

6.11.2 The village has no church or Great House and is marked by a consistency in plot size and building orientation. Llanbethery farm lies in the centre of the village and at its western end lies the Wild Goose, a 19th Century Public House with gardens and car park to the side. Beyond a lane leads westwards to the Moors, and the Thaw Valley. There is evidence of a strong association with the valley and the Water Meadows of Llanblethery Moor, suggesting that the village may have at one time extended as far as the valley.

Landscape and Trees

6.11.3 The village is set on an elevated plateau stretching from the eastern edge of the Thaw Valley. The common building line adopted by houses has also determined the scale and arrangement of front gardens which are generous and well planted with ornamental stock.

Listed Buildings

None.

Other Buildings of Note

- The Manse.
- The Wild Goose Public House

Key Issues

- The maintenance of the strong linear form of the village.

- The enhancement and management of roadside verges which run through the village.
- The protection and repair of stone boundary walls adjoining the highway.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.12 Llancadle

Description

6.12.1 The village of Llancadle comprises a ribbon of houses set along the main road and around the road junction which provides access to Llancadle Farm to the west.

6.12.2 The farm dominates the village and so highway and yard appear as one where the road turns to return towards the main road. The construction of a number of contemporary houses on sites between the Green Dragon pub and lower Llancadle Farm has changed the character of the conservation area. Despite this boundary walls and roadside verges are successful in drawing the varied building styles and arrangements together.

6.11.3 The core of the village around Llancadle Farm is dominated by the historic group and the sombre limestone farm buildings which encircle the 18th Century farmhouse.

Landscape and Trees

6.12.4 The village stands on elevated ground overlooking the Kenton River. From the valley floor, the building line stands high on the ridgeline, with roof tops running in a north/ south arrangement along the road.

Listed Buildings

None.

Other Buildings of Note

- Llancadle House
- Lower Llancadle Farm

Key Issues

- The protection and repair of stone boundary walls adjoining the highway.
- The protection and management of open verges and important tree groups which frame the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.13 Llancarfan

Description

6.13.1 The village of Llancarfan lies deep within the valley of the Nant Carfan, surrounded by steep wooded valley sides, and woodland known as Coed yr Crinallt.

6.13.2 The present form and character of Llancarfan does not reflect the earlier monastic activities which made the settlement in the 5th to 12th Centuries as important as Llantwit Major. In later centuries, the village functioned as a service centre for the Vale, providing wood and corn mills, smithies and other trade. Though altered, these 15th to 18th Century buildings at the core of the village can still be appreciated and show the importance of the village for the wider farming community during this period.

6.13.3 The church dating from the 13th and early 14th Century dominates the village and is surrounded by an open church yard and stone boundary wall. Houses encircle this imposing church and tower and run north and south along the valley floor.

6.13.4 The pre 1840 pattern of development shows two distinct cores; one centred on the church, the other on Cross Green and the Old Corn Mill. Open pastures between the two are now developed by contemporary houses set in generous plots.

Landscape and Trees

6.13.5 The presence of the stream and running water prevails throughout the village, and determines its character. The village remains attractive despite the construction of many

contemporary houses in landscaped grounds and gardens.

6.13.6 The Conservation Area extends east and west to include the slopes of the valley and benefits from the protection they offer in association with the wooded banks of the stream.

6.13.7 Deep roadside verges and pockets of open grass at roadside fords open up the stream.

Listed Buildings

- Church of St. Cadoc (I)
- The Telephone Kiosk between the parish Hall and bridge (II)

Other Buildings of Note

- The Fox and Hounds
- The Bethlehem Baptist Chapel
- The Old Mill
- Chapel House and Vestry
- White Chapel
- Cross Green
- Wild Rose House
- The Primary School

Key Issues

- The protection and enhancement of roadside verges and fords.
- The maintenance and protection of stone boundary walls which define and enhance the linear form of the village.
- The protection and enhancement of the water ways and fords which run through the village.
- The protection of important tree groups which frame the village and its setting in the wider landscape valley.
- The consideration of proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.14 Llandow

Description

6.14.1 Llandow is an isolated village lying at the western limits of lanes running to the west of Llandow Airfield. The village has grown around the junction of Ty Draw and Grove Road where Holy Trinity Church, Church Farm and the Great House form the nucleus of the village, and display its early importance as a farming community set around the Llandow Brook.

6.14.2 In the early 1950's, the village was extended by the construction of a group of 28 Council houses along Grove Road and East View. The third phase of development is the recent construction of detached houses and bungalows on the east and westside of the original village. Most are built in a contemporary style using smooth white render and random stone.

Landscape and Trees

6.14.3 The village is marked by the number of streams and springs which rise in the area, and which form the headwaters of the Afon Alun. A small canalised brook runs through the village alongside Ty Draw before turning towards the old water mill which is now known as Mill Farm on the northern edge of the village.

6.14.4 There are some fine groups of trees in the village which frame the centre and soften the impact of contemporary development set around it.

6.13.5 The Conservation area extends outwards to include open fields to the north and south of the village, extending at the western boundary formed by the railway line. Contemporary houses at Heol y Nant and East View are excluded.

Listed Buildings

- The Church of Holy Trinity (II*)
- Church Farmhouse (II*)
- The Great House (II)
- The barn to the east of Great House (II)
- Ty Fry Farmhouse (II)

Other Buildings of Note

- Glenbrook
- Bridge Cottage
- Railway Cottages
- The Village Hall

Key Issues

- The protection and enhancement of the nucleus of the village.
- The retention and enhancement of waterways and wayside verges and boundary walls which run through the village.
- The retention and protection of important tree groups which frame the village and its eastern entrance.
- The consideration of development proposals with the benefit Supplementary Planning Guidance relating to villages in the rural Vale.

6.15 Llangan

Description

6.15.1 Llangan Conservation Area includes the historic core of this hilltop village which rises above a road of contemporary houses to the east. The early development of the village is centred around the road junction which leads to Treoes and is supported by three farm holdings between which a number of houses have developed. The village terminates in the north at St. Canna's Church and Rectory; both of which are set within a grove of fine sycamore and beech trees.

6.15.2 The agricultural character of the village endures despite the conversion of a number of prominent farm buildings to residential use. The local limestone dominates as a building material. Slate roofs set at varying pitches and orientation highlight the informal building groups on either side of the road.

Landscape and Trees

6.15.3 The village is set on rising ground which continues to rise until it reaches St. Mary Hill Down in the north.

6.15.4 The cross roads at the southern entrance to the village has an open southerly aspect, enhancing its hilltop location. To the north, mature trees frame building groups and paddocks. The Beech wood copse surrounding the ancient churchyard is impressive and provides a robust northern edge to the conservation area.

6.15.5 Hedgerows are well preserved and run along roads and within farm holdings. They provide simple and rural boundaries to properties, retaining their rural character, despite the conversion of many to residential use.

Listed Buildings

- St. Canna's Church (B)
- The telephone Box opposite Mount Pleasant Farm (II)

Other Buildings of Note

- The Mount Pleasant Farm Group
- Bwthyn House
- Ty Mawr Farm
- The Rectory

Key Issues

- The protection and management of stone boundary walls and hedges which define farm groups and enhance the rural character of the village.
- The protection and enhancement of the woodland area which encloses the Church and Rectory.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.16 Llanmaes

Description

6.16.1 The older parts of the Llanmaes Conservation Area are grouped into two distinct areas, around the Church to the south, and around Gadlys in the north. Extensive modern development has now joined the two.

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6.16.2 The most important part of the Conservation Area lies in the south, where a number of notable historic buildings are located along lanes which converge in the area of the Church. These include the listed Saint Cattwg's Church, Llanmaes House and Plaisted House.

6.16.3 The church lies at the centrepiece of the southern village and its setting is enclosed by groups of cottages to north and northwest. These are of significance within the Conservation Area, although some have been inappropriately altered. Llanmaes House forms a fine Grade 2* listed country house, set in its own gardens. It presents important walls, gates and gate piers to the village street.

6.16.4 The southern part of the village owes much of its character to its informal layout and interest provided by buildings of simple form and character. The curving road through the village is enclosed by wall and frontages, providing a sequence of views.

Landscape and Trees

6.16.5 There is a close relationship between buildings and surrounding countryside, with open fields providing a foil to the built environment. The village is visible in its landscape setting from the Llantwit Major By-pass. Intervening fields to the north of the bypass form an important element of separation from modern housing estates located on the edge of Llantwit Major.

6.16.6 Topography around Llanmaes is level, with few major groups of trees. An exception is the hedgerow/trees which follow the line of the stream which runs in an east-west direction on the southern boundary of the village.

6.16.7 In the northern part of the village, the village green forms an attractive open space.

Listed Buildings

- Church of Saint Cadoc (B)
- Llanmaes House (II*)
- Plaisted House (II)
- Telephone Kiosk, north of village centre (II)

Other Buildings of Note

- Nun House Cottage
- Former Coach House to northwest of Nun House
- Malifont Castle
- Brown Lion House
- Cross in Churchyard
- Gadlys Farm
- Former village smithy
- Village pump
- 1 and 2 Grove Cottages

Key Issues

- The maintenance of the framework provided by informal layout, stone boundary walls and garden edges.
- The sensitive alteration and repair of historic buildings.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.17 Llanmihangel

Description

6.17.1 The conservation area embraces a historic group of buildings set within a secluded valley deep within the rural vale. The group is dominated by Plas Llanmihangel and its historic gardens, and reaches out to include the Church, fish ponds and the historic landscape which runs eastwards along the valley.

6.17.2 The importance of the Conservation Area lies in the protection it affords a virtually complete medieval site consisting of the house, its 'Gardens of Pleasure', the Church, barn, fishponds and corn mill (possibly erected on an earlier site). The earliest records for the Church date from 1252 and 1254 and it is likely that the house predates this early construction. The structure of the house suggests a 13th Century house, the hall of which was refurbished in the 16th Century. Another wing (now demolished) was added to the house in the 17th Century, but this

was the only major alteration since 1560. The house now stands as an imposing stone building which dominates the valley and landscape beyond.

6.17.3 The Church is also a limestone building constructed in the 13th Century with fortified 15th Century west tower. Adjoining it lies St. Anne's Well and a neglected fishpond. The river to the south is diverted around the Church and runs swiftly towards the other historic group comprising fish ponds, barns and derelict corn mill.

6.17.4 The entire group is neglected and overgrown, but represents an outstanding demonstration of a medieval rural settlement. The seven bay barn completes the group. Built at the same time as the house, it is one of the best surviving early barns in the Vale. A four bay stable was added to the south in the 16th Century, with mullioned upper windows decorating the facade facing the house

6.17.5 The whole group is defined and enhanced by stone boundary walls and outbuildings.

Landscape and Trees

6.17.6 The Conservation Area embraces both the natural landscape created by wooded valley and meadows, as well as the man-made features described above. The garden is designed in the Dutch style, laid out in terracing, with parterred avenues flanked by yew trees. The 'waterworks' date from the same time.

6.17.7 The whole group is now neglected and in a poor condition. Further silting up of waterways has lead to the development of a different flora and character to the once open green around which church and pond once lay. The course of the river is unclear and the robust quality of the early stone bridge to the south of the village is lost.

6.17.8 The Conservation Area extends in a westerly direction along the valley to include Rectory farm and its southern fields.

Listed Buildings

- The Church of St. Michael and All Angels (II*)
- Plas Llanmihangel (I)

- Terrace and Steps at Yew Tree Pleasance (II)
- Barn and Stables to east of Plas Llanmihangel (II*)
- St. Anne's Well (II)
- Rectory Farm (II)

Other Buildings of Note

- The 18th Century Stone Road Bridge

Key Issues

- The protection of the entire building group.
- The protection and management of historic engineered water works in association with the sensitive drainage and management of wetland areas.
- The restoration and repair of the St. Anne's Well and Well Head.
- The protection and restoration of the historic barns at Llanmihangel.
- The maintenance and enhancement of the historic landscape which frames the building group.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.18 Llantrithyd

Description

6.18.1 Llantrithyd is a small village set around a number of linking lanes which lie deep within the valley of the Tre gof. The form of the village appears as a necklace of cottages, farm buildings and contemporary houses set around a field enclosed by stone boundary walls. To the west, lies the village's main architectural group comprising the Church, Rectory and Llantrithyd Place. This historic group stands apart from the village on the gently sloping hillside from which the local building stone is derived.

6.18.2 Llantrithyd Place is one of the great 16th Century mansions of the Vale of Glamorgan. Now ruined, it still stands as an imposing stone residence around which garden terraces and raised walkways are still evident. The church yard which stands

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adjacent enhances the historic group. Within stands the St. Illtyds Church; framed by an avenue of trees, and surrounded by gravestones and memorials recording the early history of the area.

6.18.3 The Rectory to the east of the group is a well proportioned stone building showing ecclesiastic influences in style and decoration set within walled gardens.

6.18.4 To the north east of the village lies a more informal group comprising farm buildings and rural estate cottages. There has been some contemporary development within the village, though it is secluded, and often set behind stone boundary walls, hedges and roadside verges.

Landscape and Trees

6.18.5 The landscape around Llantrithyd Place is of historic importance and demands a sensitive approach to protection and management in association with the ruins of Llantrithyd Place. To the north is sited Sir John Aubrey's deer park recorded on John Ogilby's Ribbon Road Map of 1675. The encirclement of the central field by village houses and farm buildings is also a delicate arrangement which deserves protection in association with the wooded embankment that lies north and runs towards Bonvilston.

Listed Buildings

- Church of St. Illtyd (II*)
- Ruins of Llantrithyd Place (II)
- Telephone kiosk north of Parish Church (II)

Other Buildings of Note

- The Rectory
- Cross Farm

Key Issues

- The identification and protection of the historic garden landscape around Llantrithyd Place.
- The stabilisation and protection of Llantrithyd Place.
- The maintenance and enhancement of the open field and its enclosing wall at the centre of the village.

- The care and management of open verges and woodland banks which frame the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale

6.19 Llysworney

Description

6.19.1 Llysworney Conservation Area extends around the entire village and into adjoining fields to the north, as far as the winding Stembridge Brook. The designation permits the protection of this substantial village whose early association with the surrounding farm land is evident in the number of farms, cottages and outbuildings which still display historic features and building forms.

6.19.2 The village's importance as the administrative centre of the farming community to the west of Cardiff is still evident in the historic group at the centre of the village comprising Church, Pound and sheep washery and a number of historic farm holdings.

6.19.3 From the 1940's, the village grew substantially with houses growing around farm holdings, or within garden and orchard plots. Despite this, the villages' layout has retained a close affinity with the early form of the settlement, with narrow lanes running from the main road to the centre of the village and then radiating out into the rural hinterland beyond.

6.19.4 The village can be viewed as two areas possessing very different qualities. The first group comprises houses which face the main road and whose orientation and form is determined by the passage of fast moving traffic along the B4268. This is a historic north/south route across the Vale, confirmed by the presence of the Carne Arms, the mileage posts which stands outside and a number of early houses and farm holdings which adjoin the road. These older properties are constructed in stone, often rendered and finished in slate roofs.

6.19.5 The second group comprises the gentler backwater of stone cottages and houses built around the Church and village "pound". This area is very attractive and is framed by stone boundary walls and verges. This area retains a historic

landscape too. From the Llysworney Great House in the north, to Moat Farm in the south; the village survives as an important nucleus of early and 17th Century buildings in the local vernacular.

Landscape and Trees

6.19.6 The village has developed over undulating land, with houses and roads sited on slopes looking north and west towards the Church and village "pound". The village pond set adjacent, acts as a focal point for the village and provides a valuable landscaped space from which roads and verges radiate into surrounding countryside.

6.19.7 Within the conservation area, there are a number of important tree groups. Much of the village's charm lies in the informal mix of ornamental tree varieties within gardens alongside the mature indigenous species which survive as part of the former agricultural character of the village. The best and most impressive lie within the churchyard where pines and ashes frame the Church and adjoining housing groups.

6.19.8 Hedges are well maintained throughout the village and often rise above the local limestone boundary walls.

6.19.9 The fields which lie around the village and form the outer limits of the conservation area are bounded by hedges of thorn and hazel. They mark the course of the Stembridge Brook and frame the lanes and fields which radiate from the village pound.

Listed Buildings

- The mileage post outside the Carne Arms (II)
- The School House (II)
- The Chapel (II)
- The Church of St. Merthyr (II)
- The Great House (II)
- The Sheep Washery (II)

Other Buildings of Note

- Moat House
- Wolfe House
- Penylan Farm & Cottage

- White Gables
- Duffryn Maelog
- Keeper's Cottage
- Sydney House Farm
- Lower House
- Church Cottage
- The Carne Arms
- The village pound.

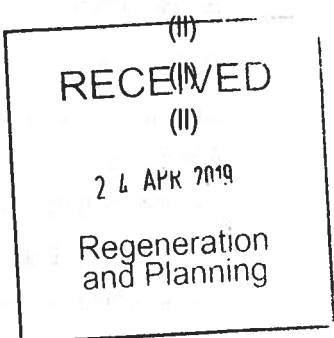
Key Issues

- The identification and protection of important open areas and woodland groups on the approaches to the village.
- The protection and enhancement of the built form of the village by the identification and protection of important open spaces within the village.
- The identification and interpretation of the history of the village and surrounding hinterland.
- Provision for the care and maintenance of stone boundary walls, hedges and railings.
- The care and management of roadside verges and the green wedge that runs from the Great House to Village Pound and Pond.
- The mitigation of the effects of fast moving traffic along the B4268.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.20 Michaelston Le Pit

Description

6.20.1 Michaelston Le Pit is a sinuous village which runs along the side of the Cadoxton river as it runs north of Dinas Powys. At its centre, houses cluster around the Church of St. Michael and the principle farm holding, Home Farm. This group of buildings is dominated by a substantial barn whose form is in stark contrast to the domestic scale of estate housing to the west and south. The earliest group: Church Cottages were built in the mid to late 19th Century in a local stone with red brick dressings in a distinctive



Tudor manner. They were possibly associated with the Cwrt yr Ala Estate, and display many of the features which were later repeated on the early Rural District Council Crescent to the west of the village.

6.20.2 The village pump marks the centre of the village where lanes runs north and east into the farming land beyond.

6.20.3 A number of contemporary buildings are now established as part of the village.

Landscape and Trees

6.20.4 Mature trees and hedges can be found throughout the village framing gardens and consolidating its rural character.

Listed Buildings

- The Church of St. Michael (II)
- Church Cottages (II)
- The telephone kiosk by Church Cottages (II)

Other Buildings of Note

- RDC Housing at: Fairleigh, Norman Cottages and St. Michaels Close
- Home Farm

Key Issues

- The maintenance of the informality of gardens and wayside verges created by estate housing in the centre of the village.
- The incorporation of residential units created by the conversion of Home Farm within the built form of the village.
- The maintenance and enhancement of tree groups which frame the Church and the houses which cluster around it.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.21 Monknash

Description

6.21.1 Monknash lies in the shallow valley of the Nash Brook on the coastal plateau which lies behind Cwm Nash and the Heritage Coast.

6.21.2 The settlement is of ancient origin, and present buildings have developed amongst the extensive medieval monastic remains which form an extensive Scheduled Ancient Monument site. The remains are a dominant feature in the landscape and can be identified in ground formations, scattered free standing ruins, with some forming part of more recent buildings or boundary wall.

6.21.3 The eastern porch of the large ruined tythe barn has been converted into a two storey farm house in which the main archway of the original structure is still visible.

6.21.4 The bleak and treeless coastal plateau is reflected in the character of buildings which are low roofed and huddled into hedges and lanes, sheltering from the prevailing westerly winds.

6.21.5 Buildings are constructed in the local lias limestone stone, some rendered with slate roofs. The stone, in part plundered from ruins is also used in the field boundary walls, which are a feature of the area.

6.21.6 At the northern end of the Conservation Area lies Broughton Farm which has a closer association with the village of Broughton to the north. Here also, lie the medieval remnants of the monastic college. At the Conservation Area's southern limits lies St. Mary's Church.

Landscape and Trees

6.21.7 The Conservation Area includes the open landscape set around the Nash Brook, and is uninterrupted by tree cover, save within the northern and southern building groups where trees of a domestic scale are found.

6.21.8 A small wayside green at Monknash is planted with ornamental trees.

Listed Buildings

- Parish Church of St. Mary (II*)
- Church Farmhouse (II)
- Plough and Harrow Public House (II)
- Remains of Tythe Barn, (II)
- including Tythe Barn Cottage
- Remains of the Medieval Dovecote (II)
- Monknash Forge (II)

Other Buildings of Note

- Smithy Cottage
- Lodge Cottage
- College Remains at Broughton Farm

Key Issues

- The care and management of Scheduled Ancient Monuments in the Conservation Area.
- The investigation of opportunities for improved interpretation of historic buildings and archaeological remains.
- The maintenance and protection of stone boundary walls which define fields and building groups.
- The protection of important footpaths which lead to the Heritage Coast.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.22 Penmark

Description

6.22.1 Penmark is an attractive settlement of approximately 50 dwellings. The Conservation Area boundary is widely defined to include Penmark Place, the Old Vicarage and the landscape setting of the village.

6.22.2 Development has taken place in linear form from east-west, along a narrow village street. It is enclosed by buildings of different style and period, laid out informally, often fronted by stone walls. The listed church forms a centrepiece. To the north of the Church the ruins of the castle (a scheduled ancient monument) overlook the Weycock Valley. The character of Penmark is established by irregular building simplicity of building form and enclosing stone walls.

6.22.3 A group of former local authority houses in Croft John are well designed. Constructed in 1954, they are carefully integrated with the remainder of the village. Recent new development at the eastern end of the village, at Barrenhill, and barn conversions at Penmark Farm are less successful in form scale and detail.

Landscape and Trees

6.22.4 The village is built on a promontory of land bounded by the heavily wooded valley of the River Weycock. There are several local, deeply incised valleys to the south (at Cwm) and south-west (Kenson Hill). That at Cwm contains a stream which rises from the south-east, creating steep slopes (below the Old Vicarage) which fall towards Barrenhill and the Weycock Valley.

6.22.5 A steep hill also drops to the west into Barrenhill, creating good views between buildings within the village towards open countryside.

6.22.6 The confluence of the Kenson and Weycock rivers occurs to the north of Kenson Bridge and is located at the extreme western edge of the Conservation Area. The flood plain is open, low-lying and enclosed by important stone walls. Views toward the village in the east provide an outstanding landscape context dominated by mature woodland.

6.22.7 The village is generally set within important treescape. Important groups of trees occur around the Church (notably three mature yews) and to the south of Croft John.

6.22.8 There are clear boundaries between development and open fields which lie to north and south of the village. To the south of barns formerly associated with Penmark Farm (now converted into residential use), open fields provide views from the B4265 of the eastern end of the village.

Listed Buildings

- Church of Saint Mary (B)
- Telephone Kiosk at Centre of village, corner of Croft John (II)
- Penmark Castle (SAM)

Other Buildings of Note

- Churchyard Cross, Saint Mary's Church
- Penmark Place
- Six Bells Inn
- Penmark Village Hall
- Housing at Croft John

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Key Issues

- The maintenance of the built framework of the Conservation Area provided by informal layout, stone boundary walls and enclosed, landscaped frontages.
- The retention and repair of the historic built fabric.
- The maintenance and enhancement of the local landscape context.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.23 Pendoylan

Description

6.23.1 The village is clustered around the St. Cattwg's Church and Church Row, a terrace of early 19th Century almshouses which run parallel with the Church. This historic cluster has been enclosed by more contemporary development which consolidates the village form and the size of the rural community as well. The Pendoylan Church in Wales Primary School lies at the northern boundary of the Conservation Area. To the south lies Heol St. Cattwg, an estate of early Rural District Council housing set around a picturesque village green.

6.23.2 Many houses on the estate still display early decorative features, typical of this building period, including stone windows and door openings, decorative porches and roof pitches set low over the front elevation. The enclosure of the village nucleus is completed by two further cul de sacs of detached houses.

Landscape and Trees

6.23.3 Trees in the Conservation Area are clustered around the church and pub garden. Those to the south are set on the banks of a stream which runs along the highway verge and then eastwards towards the 'St. Cattwg's Well' and the meadows which lie beyond.

6.23.4 The village green draws the centre of the village southwards. To the north built form is broken by fields bounded by hedges which run through the

centre of the village. A copse of trees marks the entrance to the property known as Butleigh.

Listed Buildings

- The St. Cattwg's Church (II*)
- Church Row (II)
- The telephone kiosk at Heol St. Cattwg (II)

Other Buildings of Note

- Heol St. Cattwg
- The Red Lion Public House
- The Church in Wales Primary School
- (19th Century stone buildings)

Key Issues

- The enhancement of village green and roadside verges.
- The improvements of the turning area and forecourt to the public house as opportunities arise.
- The repair of houses within Heol St. Cattwg to ensure the protection of its unified appearance.
- The protection of important open areas and woodland groups on the approaches to the village and within the core of the Conservation Area.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.24 Peterston Super Ely

Description

6.24.1 The boundary of the Conservation Area bears little resemblance to the present built form of the village and is instead, drawn widely around a number of historic buildings and landscapes to north and south. The historic centre of the village is set around St. Peter's Church, where an informal farm access enclosed the church and provides access to the Church Hall, new housing at Backway Farm, as well as Village and Police House. The Conservation Area

boundary runs north to include the Old Rectory, a fine stone 19th Century house in a Victorian Gothic style. The southern boundary of the Conservation Area runs behind properties facing the main road and from the Three Horse Shoes Pub runs south west across the railway to include the open riverside embankment and footbridge leading to the Wyndham Park Estate.

6.24.2 The centre of the village is dominated by St. Peter's Church and the cluster of cottages set around it. The village has a number of 19th Century estate cottages set within it, whose typical form is of stone construction with brick openings and steep slate roofs with decorative eaves to gables. The remains of the Peterston Castle lie within the grounds of Castle bungalow.

Landscape and Trees

6.24.3 The River Ely and its wooded banks dominate the village. Ash and alder line the river, and frame the buildings which run from north to south beside open playing fields set between the Rectory and Village Hall. The banks of the river have been landscaped to provide attractive seating areas beside the river and stone bridge at the eastern end of the Conservation Area.

Listed Buildings

- Church of St. Peter (B)
- Remains of Peterston Castle
- Ancient Monument
- Telephone Kiosk outside Fir Cottage (II)

Other Buildings of Note

- The Old Rectory
- The stone road bridge over the River Ely

Key Issues

- The protection and enhancement of the river bank as further opportunities arise.
- The repair and protection of roadside boundary walls and field enclosures.
- The protection and enhancement of the quiet rural backwater around the church and former Backway Farm.

- The maintenance and protection of importance tree groups which frame the nucleus of the village and mark the northern and south easterly boundaries of the Conservation Area.
- The consideration of development proposals with the benefit of Supplementary Planning

6.25 Porthkerry

Description

6.25.1 Porthkerry is a small hamlet situated on the edge of the coastal plain which extends west of Barry overlooking the Bristol Channel. The village lies at the end of a lane running from the B4050 and the eastern boundary of the Rhoose Airport, but despite its location as a rural backwater, it is regularly disturbed by passing air traffic.

6.25.2 Houses and farm buildings are clustered around a triangular village green. The school house lies adjacent to the church of St. Curig and with Church Farm House, a stone limewashed, reflects the early importance of the village for the agricultural community.

Landscape and Trees

6.25.3 To the north and east the land is well wooded and falls sharply away to Porthkerry Park, an area of woods and open space now managed as a Country Park. To the south and located on the cliff edge lies a promontory fort and ancient settlement site known as The Bulwarks.

6.25.4 The rural character of the Conservation Area depends on this woodland backdrop, as well as the field hedges and stone boundary walls which mark the entrance into the village.

Listed Buildings

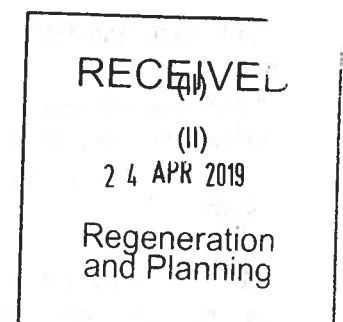
- St. Curig's Church
- The School House

Other Buildings of Note

- Church Farm House

Key Issues

- The protection of the simple qualities of village green and roadside verges.



- The enhancement of footpath links to Porthkerry Park.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.26 St. Brides Major

Description

6.26.1 The conservation area includes land and buildings set around Pwll-y-Mor Pond and extends to include a series of farm buildings and estate cottages which lie on the Wick Road. In consequence, the Conservation Area has a rural character and is marked by the appearance and disappearance of fields behind hedges and boundary walls within the building line which runs to the south of the Wick Road.

6.26.2 The buildings which surround the pond are of most interest, and form a picturesque focal point for the old village. The Rectory, Kings Hall Court and farm, and Pool Farm and cottage are all stone buildings set around the pond. Although they are of different ages, their rural, tree bound setting, and the common use of stone and slate create the Conservation Area's special character.

6.26.3 The building arrangement to the east reflects one common to this part of the Vale. Houses and cottages are set at right angles to the road, reflecting and reinforcing the open windswept vistas of the coastal plain. Again, the common use of stone and slate characterises the buildings and their associated farm yards and enclosures, provides a unity of building form enhancing the Conservation Area's special character.

Landscape and Trees

6.26.4 The Conservation Area extends to include fields to the north and south of the village and pond, rising gently to the low wooded ridge line to the east of the village.

6.26.5 To the west, the Conservation Area terminates at the war memorial where contemporary extensions to the settlement mark a change in building character and form.

6.26.6 At its lowest western end, the Rectory and village hall are framed by a grove of tall trees which mark the gateway to the coastal plain beyond.

6.26.2 The pond is surrounded by common land which adjoins fields to the south of Pool Farm. The pond, bull rushes and village pump lying snugly below the raised road is very attractive, though opportunities for further enhancement along the roadside and within the car park of the public house exist.

Listed Buildings

- Pen Ucha'r Dre Farmhouse (II)

Other Buildings of Note

- The Rectory
- Pool Cottage
- Pool Farm
- Little Wood
- Shop Farm
- Kings Hall Court
- Kings Hall Farm

Key Issues

- The long term enhancement of Pwll-y-Mor, pump and roadside railings.
- The protection and management of common land around Pwll-y-Mor.
- The enhancement of the car park at the Public House as opportunities arise.
- The maintenance of woodland groups which frame the village.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.27 St. George's

Description

6.27.1 The Conservation Area lies as an isolated hamlet between Drope and the major part of St. George's village to the west. The boundary of the Conservation Area is set to the south of the winding land and comprises some five households, an inn and the church. Open land to the north of the road is included as far as the railway.

6.27.2 The village is unspoilt and set in an attractive group of mature trees set around the churchyard, comprising two rendered cottages, one with a flight of steps leading to an upper storey and the Church Cottages. To the east, the Greendown pub, a modernised public house lies on the edge of the group.

6.27.3 The 13th Century church of St. George is the dominant building, it is cruciform in plan with a crossing tower surmounted by a 4 gabled top and decorated finials.

Landscape and Trees

6.27.4 A winding hedge bounds the lane. Trees set around the churchyard frame the building group and define its presence in the open landscape formed by the Ely Valley.

Listed Buildings

- Church of St. George. (B)

Other Buildings of Note

- Church Cottages.

Key Issues

- The care and management of wayside hedges which line the lane around which buildings are set.
- The protection and enhancement of the historic building group for which the Church is the focal point.
- The care and management of important tree groups.
- The consideration of proposals with the benefit of Supplementary Planning Guidance relating to villages in the rural Vale.

6.28 St. Hilary

Description

6.28.1 St. Hilary lies on the south facing slope of St. Hilary Down. The Conservation Area includes the village and its surrounding fields, bringing both the nucleus of the village and its landscaped setting within the protected area.

6.28.2 The village comprises a network of lanes and streets centred around the Church and a number of historic farm holdings. A small green with a crescent of rural estate house adjoins the Church to the north.

6.28.3 Buildings are mostly two storeyed cottages and farm buildings built of local stone and roofed with Welsh Slate. There are also some good examples of thatching at the contemporary Old Hall Cottage, the Bush Inn and Kninkin.

6.28.4 The north east corner of the village has been extended into the shallow Valley to the west of Bush Inn, by new buildings in a wide variety of styles.

6.28.5 The most conspicuous feature of the village is the use of stone in both farm, domestic buildings and boundary walls which enclose building groups.

Landscape and Trees

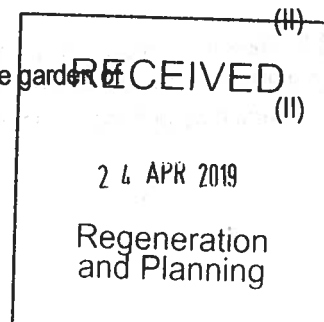
6.28.6 Mature trees play an important part in the character of the village. Many were planted in response to the needs of former estate owners and are reflected in the importance of a number of village houses and their grounds: notably the Cottage, The Manor and Glyn Coch and Tumblers Chase.

6.28.7 The Conservation Area is further enhanced by boundary walls, roadside verges and land behind which enhance the rural character of the village and the simple building forms at its centre.

6.28.8 The character of the Conservation Area is determined by the informal relationship between buildings, spaces and groups of trees. Buildings are often interspersed with gardens and open frontage areas, enclosed by stone walls and hedging.

Listed Buildings

- The Church of St. Hilary (II*)
- The Basset Family Tomb Enclosure and Cross within the churchyard (II)
- The Cottage (II)
- The Pigsty in the garden of Church Cottage (II)



- The Manor (II)
- Nos. 1 and 2 Manor Cottages (II)
- The telephone kiosk, Llantrithyd Road (II)
- Bush Inn (II)
- Village Farm (II)

Other Buildings of Note

- The Lodge
- The Barn
- The Old Farm
- Little Hall Cottage
- Kninkin Cottage

Key Issues

- The establishment of a programme of woodland management to protect and enhance important tree groups within the village.
- The protection and reinforcement of the strong nuclear form of the village.
- The enhancement of the car park opposite the Public House as opportunities arise.
- The consideration of development proposals with the benefit of Supplementary Guidance relating to villages in the rural Vale

6.29 St. Nicholas

Description

6.29.1 The village of St. Nicholas appears severed by the A48 and its fast moving traffic, but on each side lies a quiet backwater of rural cottages and comfortable houses set within spacious grounds. The centre of the village is clustered around the parish Church of St. Nicholas where the original medieval building pattern has developed around a network of lanes running north into the farming land of the Cottrell and Coedarhydyglyn Estates. The earliest houses are those on the A48. "Smith Row" and "The Three Tuns" are both 17th Century cottages retaining thatch and stone interiors typical of the local vernacular.

6.29.2 The early buildings and stone boundary walls which mark the centre of the village are now supplemented by buildings from two later

development phases: the first is evident within the 19th Century buildings set along the A48. These were built to support the farming community which lead to the expansion of the village. The Smithy, the Police Station and Church Hall were all constructed at the turn of the century and display the importance of the village in providing agricultural services during this time.

6.29.3 The popularity of the village as a commuter settlement can be seen in the large number of detached houses that have grown around the village and along the A48. The village still retains a number of housing estates developed by the Rural District Council in the 1920s and 30s. These display many of the qualities of the Garden City Movement, and remain well maintained.

Landscape and Trees

6.29.4 The accommodation of a variety of architectural styles within the village is assisted by the landscape framework provided by gardens and woodland areas. Those set within Llaneinydd are particularly impressive.

Listed Buildings

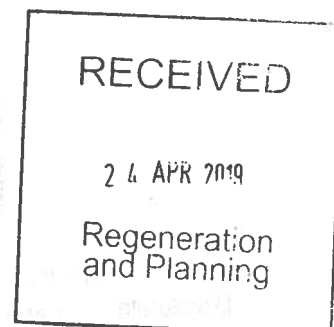
- Church of St. Nicholas (II*)
- The Cory Family Chest Tomb at St. Nicholas (II)
- Nos. 3, 4 and 5 Smith Row (II)
- The Three Tuns (II)
- The telephone kiosk on the A48 (II)
- The GPO Pillar Box A48 (II)
- The Nicholas Church Hall and Hall House (II)

Other Buildings of Note

- Nos. 1 and 2 Manor Cottages
- RDC Estates at Button Rise, Meyrick Row,
- Dyffryn Close and Broadway Green
- The Church in Wales School
- Manor House
- Llaneinydd
- The Police Station
- The Smithy

Key Issues

- The protection and maintenance of the framework provided by stone boundary walls and garden hedges.
- The maintenance and enhancement of tree groups which frame the entrance to the village from east and west.
- The enhancement of housing backwaters to the north and south of the A48.
- The mitigation of the effects of fast moving traffic along the A48.
- The consideration of development proposals with the benefit of Supplementary Planning Guidance to villages in the rural Vale.





The Vale of Glamorgan Council
Directorate of Environmental & Economic Regeneration,
Dock Office, Barry Dock, Barry, CF63 4RT.

www.valeofglamorgan.gov.uk

STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER A VILLAGE GREEN AT MAES Y FFYNNON, BONVILSTON

I Hency Cecil Mustow, retired commercial traveller for Dulux, of 17 Maes Y Ffynnon, Bonvilston, CF5 6TT, make this statement in support of an application to register the village green at Maes Y Ffynnon.

1. I was born in Llantrisant, and my father was a farm Bailiff. I moved to Lisvane when I was 10 weeks old and lived there until I was 11 years of age. My father moved to work in Bonvilston house as a bailiff and we lived in Bonvilston Lodge.
2. At 18 I joined the forces on national service and served in the RAF in Germany, stationed at the Berlin Airlift. I left Germany at the latter end of 1949 and moved back to Bonvilston. In the meantime I'd married Barbara and moved back in with my father in Bonvilston.
3. Barbara and I moved to Maes Y Ffynnon in 1955, our son Kelvin (known locally as Sam) was just 5 years old at the time. He is still known as Sam today.
4. The village green which is subject to this application was always known as the village green. It was always played on by children of not only Maes Y Ffynnon but the enire village, despite the existence of the sports field which was developed in approximately 1978 and is now Village Farm housing estate. The sports field was primarily used by adults for football, so the village green was ultimately used by the children of the village for their games.
5. As an example, Sheila Whiting (8 at the time of 10 Maes Y Ffynnon) and our son Kelvin (age 5), would play on the green and use the mound that resulted from the excavation of the Maes Y Ffynnon houses when they were built, to access what was then the fields behind 17-24 Maes Y Ffynnon and is now the Cottrell Park golf course. This is shown in photograph 1, which I estimate was taken in around 1956.
6. Throughout the 1960's there were regular annual fancy dress carnivals held on the green which started at the village shop and make their way through Bonvilston to the football field, stopping at the village green for photos as shown in photograph 2, which is Sylvia Jones standing on a flotilla from one of the many carnivals that were held, the year of the photograph is unknown. The carnivals continued annually on August Bank Holiday Monday until Village Farm was built in 1978.
7. In 1977 Queen Elizabeth II passed through Bonvilston and a party was held on the village green as shown in photograph 9 & 10. Photograph 9 shows from left to right Jean Edwards (24 Maes Y Ffynnon) Audrey Deere (daughter of the former landlord at the Red Lion Pub and resident at number 13 Maes Y Ffynnon), Mary Osborne (22 Maes Y Ffynnon), Mrs Morgan and an child carrying a crown, I'm unsure of the name of this child. Photograph 10 shows the same girl and a young man, again his name I cannot recall, at the Jubilee party.
8. The bench on the village green that stands there today was donated by Mr Ferry of Village Farm following the construction of the dwellings that stand there today, as recompense for the development on the football field that we enjoyed playing on. This accetyated the need for the village green, the subject of this application, as we had just lost the football field to development.

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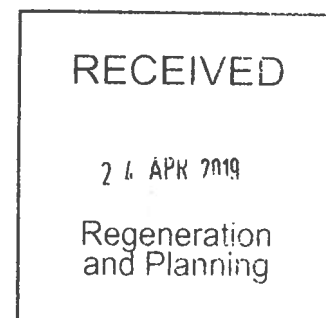
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9. Photograph 3 shows 6 local residents on the bench, a regular pastime enjoyed by the residents. The photograph shows Betty Watts (1 Maes Y Ffynnon), Joan Walklate (St Nicholas), Myself, Barbara and Thelma Whiting (10 Maes Y Ffynnon) with, I presume, one of her grandchildren. They used to meet on the bench whenever it was fine enough to get together throughout the 1980's. I would return from work and be ordered to the kitchen to fetch tea and biscuits for the gathering.
10. The winter of 1978 brought snow that lasted weeks, at the start, we residents decided to get together to dig out the street so that we could get to work on the Monday. Lynne and Gareth and the other resident children built snowmen and enjoyed snowball fights for as long as the snow lasted. In pictures 4 – 8 you can see that the community dug from number 24 to number 1, meeting in the middle, a community that was brought together due, in part to the existence of the village green.
11. The same children would play football, hide and seek, rat-a-tat ginger (knocking on the doors and running away), and cricket on the village green and use the garages to play tennis. There were numerous dens and hideouts that they would build and play in continuously. We held bonfires annually in November and the whole community would gather together. It was a real community. When the children hurt themselves they would run to any house on the part of the street that faces the green as we were all readily available to help and I believe this was the core of village life around the green.
12. The St Nicholas and Bonvilston Royal British Legion would arrange coach trips to places like Weston Super Mare, Barry Island and the like. The village green would be the pick-up point for the whole centre of the village. The mention of a trip would grasp everyones interest, the community would meet at the village green and be dropped off there at the end of the day.
13. Since the trees were planted on the green by the council in the late 1970's, presumably to enhance the village green, the council have regularly cut the grass and kept up the look of the green. The birds and wildlife attracted to the green are plentiful, some rare.
14. There has never been any restrictions for the use of the village green in question. It has always been used by locals to exercise their dogs. In 2017 the Vale of Glamorgan council placed signs around the village green accepting that dogs were exercised there and asking responsible owners to pick up after their pets. There has never been any barrier, sign to keep off the area of land or otherwise in my 63 years at Maes Y Ffynnon.

I believe the facts stated in this witness statement are true

Hency Cecil Mustow



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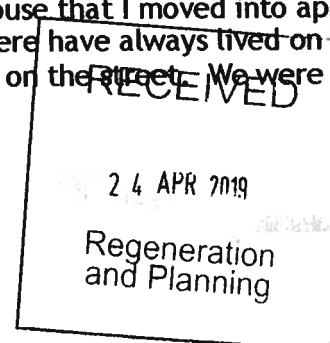
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I, Thelma Marjorie Whiting, of 10 Maes Y Ffynnon, Bonvilston, CF5 6TT, make this statement in support of an application to register the Village Green at the north end of Maes Y Ffynnon.

1. I have been a resident of Maes Y Ffynnon since September 1949. We were the first to live at number 10 and I still reside there now. I was a full time mum at the time as my son, Andrew was two years old. He celebrated his second birthday here in the October. At the time the village green which is the subject of this application was a farmers field. The land was owned by the Powells but the Evans's of Village Farm used to farm it.
2. The Powells sold the land in 1956 as a compulsory purchase order, from my recollection. Ours were the first houses to be built on the street as we know it now.
3. When the green was bought the children played on the land and it then gradually it became known as the village green.
4. Nobody had a car at the time so there would have been no cars on the roads
5. The main events were held on the football field but then the football field was built on for the estate that is known now as village farm.
6. In the late 1950's the last houses were built, numbers 13 - 16. There were mounds of sand that the children used to play with on the green and near the site. As far as I remember there was a play house built there and the children would play rounders, cricket and team games like football, it was a regular activity. There were children in all of the houses in those days and they all used to play together on the green.
7. In 1977, when the Queen passed through Bonvilston as part of her Jubilee celebrations, there was a jubilee party held on the green. Muriel Morgan's grandson is seen in photograph 10 as the king, and I'm unsure who the girl is.
8. Cyril Smith and his daughters, Sarah and Emma lived at number 8. They were children born in the early 1980's and they regularly played on the village green with the other children in the village.
9. During the 1990's we used to congregate on the bench at the bottom of the green. Myself, Madge Evans's granddaughter (who lived in one of the flats at number 15), Barbara, Cec, Joan and Betty Watts are all in the photo. Muriel Morgan (top flat of number 15) is taking the photo.
10. We held regular bonfires on the green in the 1990's. I wore a coat once, which was well worn, similar to the shape of Princess Margaret's when she was married. Alf Osborne let a rocket off which went awry. The rocket went through the crowd and burnt my coat.
11. Since then the children grew up and moved away. The visitor's children would play on the green but from the late 1990's there were no children actually living on Maes Y Ffynnon. Cec, Kath, Myself, Dave and Val, are all still resident in Maes Y Ffynnon. I believe I'm the one that lives in the same house that I moved into apart from Kath. It's interesting that some of the residents here have always lived on Maes Y Ffynnon but some have moved house and stayed on the street. We were all very close and always looked after each other.

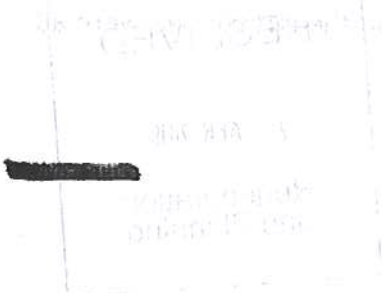


12. We used to make our own wine and sample our wares together on the green, sitting around and building a community.
13. Everyone had character. At one time we thought there were rats in the mound of earth and we felt that we should care for the ground and regularly set fires on the waste land to protect the green as it was ours.
14. We regularly made cakes and sandwiches and shared them on the village green if the weather permitted.
15. I regularly used to pick blackberries on the village green and all around. There was plenty of blackberries to be had. We were a community that was built around the village green.

I believe the facts stated in this witness statement are true

Thelma Whiting

Dated: 11/04/2019



STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER

A VILLAGE GREEN AT MAES - Y - FFYNON , BONVILSTON .

I, **Lynne Mary Price (Formerly Morgan)** , Barrister at Law , of 9 , The Parade , Merthyr Tydfil CF47 0ET , make this statement in support of an application to register the Village Green at Maes - y - Ffynon .

- 1 . When I was born in June 1962 , my parents were living in Peterston - Super - Ely . When I was still a baby , we moved to live in the top floor flat at 15 Maes - y - Ffynon . This looks out over the Green which is the subject of this application .
- 2 . My brother was born in May 1965 and , shortly afterwards , we moved to number 20 , Maes - Y - Ffynon . This house again looks out over the Green . I lived at 20 , Maes - Y - Ffynon for the next 21 years .
- 3 . The area in front of our house has always been called " The Green " . Everyone who lived in Maes - Y - Ffynon referred to it in that way and continues to do so .
- 4 . Over the years , my brother and I , and other children living in the street , and elsewhere in the village , would use the Green to play . It was , and is , the only safe open space where children in the village can play . My brother and I and other children , Andrew Morgan , David Loughor and Kelvin Mustow among them , regularly played football there . I was usually in goal because I was a girl ! We also played cricket , encouraged by my father , who taught my brother and I to bat and bowl . My brother went on to play for a local team . On occasions , when it was safe to do so , I practised throwing my javelin . I was in my school athletics team and also competed for the county in that event .
- 5 . Linda Morgan , who lived next door at number 21 , and I were childhood friends , and we often played on the Green . I can recall one occasion , in particular , when we were playing at the top end of the Green , near the fence which now divides that area from the Cotterell Golf course . We climbed through the hedge into the lane and went for a walk , returning the same way , only to see an adder curled up in the hedge near where we were climbing through . We were terrified , and fascinated , and I often returned to the spot to see if I could see it again . We would also pick blackberries and nuts from the hedge , which ran along the side of the Green , and which divided the Green from the lane . We made dens and played all sorts of games , including hide and seek , when we would squeeze behind the garages or hid in the bushes and wait to be found . These were much simpler times . We had no computers and there were few TV channels and for some years TV transmission shut down for long periods during the day . We spent hours playing outside in the fresh air .
- 6 . The whole of the Green in front of , and to the side of , the houses was used by us as children . I remember kicking balls against the wall of the garages and also being told off for hitting balls against the doors . We would explore all around that area , including trying to climb onto the roof of the garages .
- 7 . Originally , the Green was just an area of open grass . In about the 1970's , the local council decided to plant trees there , presumably to improve the outlook for the residents of the street . It was clear that it was never intended that this area would ever be anything other than a green space for use by the community . They planted a number of Sycamore trees , which still grow there today . Some of the original saplings were damaged soon after they were planted , and the council replaced them with others , which have grown to maturity . The trees , once established , served as goal posts and even cricket stumps . We also climbed them when they got tall enough .
- 8 . The area was not only used for games . I remember that we also regularly held a Bonfire there on or around November 5th . My brother and I and other children and adults from the area would collect wood and pile it up to form a bonfire . This was sited in the area beyond the turning hammerhead at the top of the street and to the left of the garages . We would all congregate there when the bonfire was lit , and fireworks would be let off . In winter , when it snowed , we made snowmen on the Green and played snowballs . I remember one year , when the snow was particularly heavy , someone had a sledge and used it to slide down the bank next to the bench and onto the snow covered road .
- 9 . In the 1970's , my brother became interested in music and taught himself to play bass guitar .

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He and 2 friends from Radyr Comprehensive school , the school we all attended , formed a band . In the late 1970's , Gareth and his band held a concert on the Green . They set up a makeshift stage with amplifiers and a drum kit and played for the residents of the street and other villagers . The residents of the top end of Maes - Y - Ffynon were very tolerant of the noise , not just of the concert , but the practising which preceded it .

10 . The bench at the side of the Green was a place for the older residents to sit and chat . My father often sat there with Mr James , who lived further down the street . Over the years , I have seen current residents , including Mrs Kath Loughor and Mrs Thelma Whiting , who have both lived here for many years , and Mrs Muriel Morgan , who sadly died some years ago , sitting on that bench chatting . The council have replaced the bench on at least one occasion as it has become worn out by years of use and exposure to the elements .

11 . I left 20 , Maes - Y - Ffynon when I married in 1986 and moved to Merthyr Tydfil . My mother continued to live in the house until 2015 , when she was admitted to hospital suffering from Alzheimers . Mum spent many hours sitting in the living room of the house looking out of the window and watching children playing on the Green . It was something she loved to do and would mention to me when I visited .

12 . Between 1986 and 2015 , and since then , I have returned regularly . I would visit mum most weekends , and at other times when I was able . In about 1989 , mum acquired her first dog . We also got our dog , Non , at around the same time . We regularly walked Non and mum's dog , Tegwen , and mum's subsequent dog , Lucy , on the Green . As mum got older and her arthritis affected her mobility more and more , she would only be able to walk to the garages and back and so she would take Tegwen , and subsequently Lucy , to play on the grass . I would walk with mum and throw balls for the dogs , who would run around the whole of the Green area by the garages and in front of the house .

13 . Mum was not the only resident of the street who used the Green to walk their dogs . Current residents do so now . I have seen them when I have come to the house . Mrs Whiting walked her dogs there until relatively recently and Chris and Alex , who live at number 24 , have also walked their dog there . Recent occupants of the flats at numbers 15 and 16 have used the Green to walk their dogs , as do visitors to the houses in the street .

14 . I have noted that , in the previous Unitary Development Plan , which provides an inventory of the conservation areas in the villages of the Vale of Glamorgan , Maes - Y - Ffynon is described as " a group of estate houses set around two village greens " . In that UDP , the whole of Maes y - Ffynon , including the Green in front of the houses and around the garages , is included in the Conservation Area . The reference to two village greens refers to the green area at the entrance to the street , which is bordered by numbers 1 to 6 Maes - Y - Ffynon , and to the area at the top of the street , in front of , and to the side of , numbers 17 - 24 . The Green at the bottom of the street has also been planted with trees by the council , but is too small , and too close to the busy A48 main road , to provide a safe place to play or to walk dogs , so residents from that end of the street also use the Green at the top to , for example , walk their dogs .

14 . There has never been any restriction placed upon the use of the Green . There have for example , never been any signs forbidding ball games or bonfires and the area has never been fenced off in any way . It has always been an open space accessible to , and used by , all .

I believe the facts stated in this witness statement are true



Lynne Mary Price

Dated : 18th February 2019

STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER

A VILLAGE GREEN AT MAES - Y - FFYNON , BONVILSTON .

I , **Gareth Thomas Morgan**, professional bass guitarist, teacher and journalist, make this statement in support of an application to register the Village Green at Maes - y - Ffynnon.

1. I was born in May 1965 and within months this our family had moved from the flat number 15A to number 20, where the family remained, subsequently purchasing the house in the early 2000's.

2 . The grassy open space which has accrued mature trees over the last thirty years, to the west and the north of the line of terraced properties, has always been referred to and used as a Village Green.

3 . I utilised the Green to play football and cricket (often employing a cork cricket ball) with other local children throughout my youth, honing my cricket skills to the point that I was able to represent my university, the London School of Economics, and another village in the Vale. Whereas other villages in the area were provided with the support, space and amenities with which to set up sports clubs, Bonvilston wasn't. Sure, we had a football team in the 70's but the playing area was sacrificed to the Village Farm development in the late 70's and such facilities were lost and never replaced. So for any budding sportsmen and women, or those who simply wanted to kick a ball about, the Green was the sole option. This is still very much the case today.

4. We also played kids games like hide and seek on the Green and subsequently used it, along with many other fans of the canine species, to give our dogs necessary exercise. Those who used and use the Green for these purposes are 100% committed to keeping it clean. I don't remember ever seeing dog excrement on the Green.

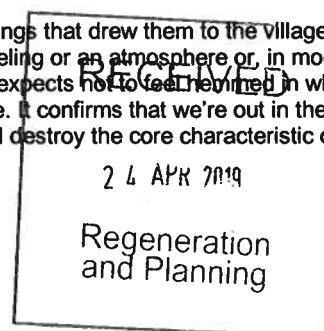
5. There are three sections to the Green and as children, we utilised all of the space that these provided. There was often a bonfire at the appropriate time of year on one of the north sections, we used the walls of the now deconstructed garages for both solo tennis and football practice and I used the road leading to the garage doors to hone my cricket bowling technique. Older residents utilised, and continue to regularly occupy, the bench at the entry to the cul de sac as a resting, meeting and socialising point. Little details such as this are vital to the social set up within Bonvilston and any other village.

6. We investigated every inch of each section of the Green, including the roofs of the garages, the ditches behind the hedges, the middle of the hedges, literally everywhere. Not only did the Green provide an important outlet for youthful exuberance but it also became a crucial element in our growing up, our life education. As well as being able to bowl accurate medium quick in a cricket sense, I learnt the best way to approach the art of tree climbing when the aforementioned trees had reached a reasonable enough size to make this worthwhile.

7. In the late 1970s I became interested in music and, after deciding to form a band with two school friends, taught myself how to play bass guitar. I was eventually lumped with singing duties. One of our most memorable gigs happened in the summer of 1981 or 82, when the village organised an extensive summer fete and my band and a support were provided with a small area covered by a canvass canopy under which to perform. We had to run a long extension lead from our house out to the section of the Green immediately opposite to be able to make our noise something which, today, would contravene all sorts of silly health and safety regulations.

8. I attended the LSE from 1983-86, moving to London in November 1986 in order to pursue a career in music, returning to visit my mum (we lost our dad in 1982) on a regular basis. After I became maritally separated in 2009 I visited on far more frequent occasions and always found the presence of the Village Green a calming and reassuring element. The feeling of space, of not being cooped up, of being able to breathe easily are things that the Green bestows on all residents of the village without expectation of reimbursement. Since mum became ill and was taken into care in 2015, I have become once more virtually a permanent member of the village community and my appreciation of the value of our Village Green has not diminished one iota.

9. Those who have more recently moved into Bonvilston will say one of the things that drew them to the village was the Green. I'm not simply talking about the activities that it facilitates. There's a feeling or an atmosphere or, in modern parlance, a vibe created by this open space. Everyone expects it to be there, expects not to feel hemmed in when they walk out of their front door. It is a crucial element in the character of the village. It confirms that we're out in the Vale and not in some suburb of a town or city. Amending or altering it in any way would destroy the core characteristic of the



village of Bonvilston. It would remove the only safe and versatile open space available for both current residents and those who will move into the village in generations to come. It won't just be ruined for now, it'll be ruined for ever.

I believe the facts stated in this witness statement are true

Gareth Tomas Morgan

Dated: 21st February 2019

23 Maes-y-Ffynon

Bonvilston

Vale of Glamorgan

CF5 6TT

Tuesday 19th February 2019

To Whom It May Concern:

Statement in support of Application to register a Village Green at Maes-y-Ffynon Bovilston.

I Mr Leigh Ivory, Self-employed Building contractor, Living at no 23 Maes-y-Ffynon make this statement in support of the application to register the Green at Maes-y-Ffynon.

I moved to Maes-y-Ffynon 30 years ago and started my family. We have always enjoyed our friendly neighbourhood, allowing my children and many others from the village including village farm, to enjoy the open space we call and have always called "the village green".

It has always been a safe environment for children of all ages even adults today take great pleasure in walking their dogs.

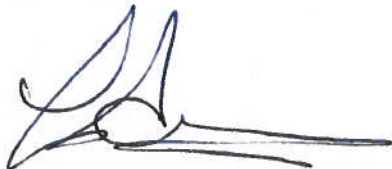
As a resident the wildlife we have on our doorstep is priceless, owls, are especially one of my favourites!

The Green is the only remaining safe place away from the busy and ever increasing traffic on the A48.

Registration of this area is paramount importance to the past and future generations.

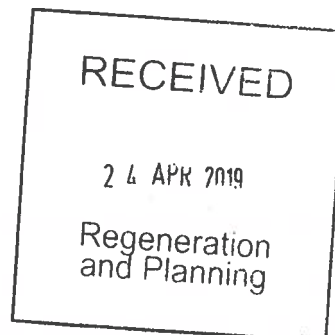
I believe that the facts stated in this witness statement are true.

Yours Faithfully



Leigh Ivory

Resident of 23 Maes-y-Ffynon.



24 Maes-y-Ffynnon
Bonvilston
Vale of Glamorgan
Cardiff
CF5 6TT

Monday, 18 February 2019

To Whom It May Concern:

Statement in Support of Application to Register a Village Green at Maes-y-Ffynnon , Bonvilston.

I Dr Christopher Brown of 24 Maes-y-Ffynnon, Doctor, make this statement in support of the application to register the Green at Maes-y-Ffynnon. The Green played a significant role in our decision to move into Maes-y-Ffynnon 5 years ago, providing a quiet and safe living environment.

Crucially, the Green provides a safe and enriching environment for our 4-year-old goddaughter, who lives in Village Farm, also in Bonvilston, to play in. The Green is the only remaining safe green space within Bonvilston, the other being the small green verge area immediately adjacent to the busy A48 which is both impractical and unsafe.

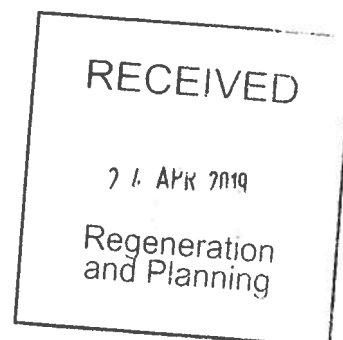
Registration of this area would secure this green space for future generations and preserve the strong sense of village community.

I believe that the facts stated in this witness statement are true.

Yours faithfully



Dr Christopher Brown
Resident of 24 Maes-y-Ffynnon



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Appendix 2.7

24 APR 2019

Regeneration
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**STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER
A VILLAGE GREEN AT MAES - Y - FFYNON , BONVILSTON .**

I, **Sian Clarke**, resident at 21 Maes Y Ffynnon, Bonvilston, CF5 6TT, make this statement in support of an application to register the Village Green at Maes - y - Ffynnon .

1. I was born and grew up in the neighboring village of St Nicholas, so as a child I always had a close connection with Bonvilston Village and the residents who lived there. As children we attended the same primary school in St Nicholas, I first went there in 1976 and then caught the bus together when we went to Cowbridge Comprehensive School, in 1983. I grew up alongside the children of my age who lived there. This connection and history were an important factor when we chose to purchase our home in Maes Y Ffynnon and move in during 2010.

2. I have known many of the residents who live in Maes Y Ffynnon since childhood, including Kath Lougher, Eve Morgan and Thelma Whiting, as they all worked in St Nicholas Primary School, when I was growing up. Each of these moved to live in Maes Y Ffynnon in the 1950s and have provided a wealth of stories and history about the village, in particular around the 'Village Green'. Since moving into Maes Y Ffynnon I have listened to them recall stories of how they watched their children grow up playing football and cricket on the Green from the comfort of their homes, whilst also knowing they were safe. I have heard stories about the games played, the carol singing, halloween gatherings, fetes and festivals, as well as building bonfires and snowmen in the winter.

3. It has been used as a place for residents to gather, socialise and chat, for decades and this is often centered around the bench at the front of the Green. A favorite photo of mine is a picture taken in 1995 of Betty Watts, who lived in number 1, sat next to my Nana Joan Walklate, Cec and Barbara Mustow, and Thelma Whiting, from number 10, where they are clearly enjoying the time they were spending together, relaxing on a lovely summer's day. When I showed this to Cec recently, who still resides in number 17 and moved there in the 1950s, recalled how it was usually his job to go back to the house and return with a tray of tea, for them all to drink. A true picture of community life based around the Green for the older generations living at Maes Y Ffynnon, as well as it being a place for the children to play.

4. Gareth Morgan, who grew up in number 20 and spends much of his time living in his Mum's house, has recalled to me the story of how he played a concert on the Green with his then band, which they formed in school. When I first moved to Maes Y Ffynnon his Mum was still living at home and she had a dog called Lucy, she was of mixed breed, but definitely had some Labrador in her. I would watch Eve walk Lucy on the Green and give her a run with her ball. As we both like to talk, I would go out there and spend time chatting with her making a fuss of Lucy. It is so important that different generations are able to integrate within the community and the Green allowed us to have this connection.

5. Over the years, since I have lived here, I have watched Leigh and Tracy Ivory's Grandchildren, who live at number 24, playing on the Green and following in the footsteps of their parents who also grew up in Maes Y Ffynnon. More recently over the last 3 and a half years, my Cousin's son Oliver, who lives at number 13, has played football and games with his friends on the Green. He also in the summer months played with my Nephew Dylan, when he came to stay with me for a holiday and they would invent their own games hiding behind the trees, whilst Ffion, my youngest Niece tried all ways she could to get involved with playing with the boys.

6. My neighbors in number 24 have used the Green for many years to exercise and train their rescue dog Lyra. I am always amused when I see Alex with her furry toy Terrier on the Green

teaching Lyra the skills to socialise with other dogs. The Green has provided the perfect environment to give Lyra the community experience she needs to aid her training and consequently her social skills have improved significantly. The whole time I have lived here I have observed numerous other residents walking dogs on the Village Green from the flats (15 – 16 a and b),0.

and the front of Maes Y Ffynnon including Thelma Whiting.

7. Although I do not have a dog myself, I regularly look after my Mum's dog Ebony, who is a black Labrador. I do this when she goes on holidays, or sometimes I just have her for the day. When Ebony comes to stay my Husband Steve, takes her out to throw the ball on the Green and to stretch her legs in addition to her daily walks. It serves to be a perfect spot for giving her the fun and exercise she needs and has done for generations of dogs and their owners.

8. In March 2019 the residents of Maes Y Ffynnon held a Saint Davids Day event on the green which was attended, attended by local people from the Bonvilston community, as well as neighboring villages St Nicholas and The Downs. We made cakes for the stalls, had a competition to make the best Welsh Cake, sold teas and coffees, had a raffle and tombola, while the children played 'hide and leek' and football on The Green. There were over 40 people in attendance on that afternoon and fun was had by everyone. We plan to have an event in May with a bonfire and BBQ and also some summer fun in August.

8. There are two Greens in Bonvilston and these were described as such in the 1996 – 2011, UDP. The Green at the front of Maes Y Ffynnon, although a beautiful feature of the village, is not safe for children to play on, due to its proximity to the road. The Green, to the back of the north of Maes Y Ffynnon, has always been an area that residents can freely access to use for playing, socialising and dog walking and there have never been any restrictions in place around its usage. Since the 1950s, the area which is directly in front of my house has always been called 'The Green', by all who have lived there in the past and also in the present.

I believe the facts stated in this witness statement are true



Deborah Sian Clarke

Dated : 19th February 2019

23 Maes-y-Ffynon

Bonvilston

Vale of Glamorgan

CF5 6TT

Tuesday 19th February 2019

To Whom It May Concern:

Statement in support of Application to register a Village Green at Maes-y-Ffynon Bonvilston.

I Mrs Tracey Ivory. Care worker, Living at no 23 Maes-y-Ffynon make this statement in support of the application to register the Green at Maes-y-Ffynon.

We moved to Maes-y-Ffynon in 1990, our 3 children were brought up in the village.

Our village was the safest place for them to play and only place to play where parents didn't have to worry.

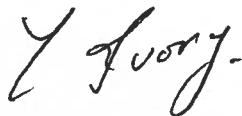
From camping, cricket, football and even slip`n slide for all the village kids to play on.

They learnt to ride there first bikes on the green away from danger, we take great pleasure now in watching our grandchildren doing the same.

The green is the heart of Maes-y-Ffynon, the only open space away from harm and the ever increasing traffic on the A48.

I believe that the facts stated in this witness statement are true.

Yours Faithfully



Tracey Ivory.

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24 APR 2019

Regeneration
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23 Maes-y-Ffynon

Bonvilston

Vale of Glamorgan

CF5 6TT

Tuesday 19th February 2019

To Whom It May Concern:

Statement in support of Application to register a Village Green at Maes-y-Ffynon Bovilston.

I Rhys Ivory, Age 26 self-employed, Living at no 23 Maes-y-Ffynon make this statement in support of the application to register the Green at Maes-y-Ffynon.

My Memories of the village green:

I was born in no23 26 years ago, I have always regarded the green at such a young age as being my front garden, I have played there with my brother and sister all my childhood with many children from maes-y-ffynon and village farm.

Back 20 years ago we had no video or computers to distract us as we always would meet on the green after breakfast and play football cricket and my favourite was Mob.

I learnt to ride my first bike without any fear of traffic as it was always a safe place to play with all my friends.

Now I find much enjoyment playing football with my nephews who spend many a summers day at our house as they don't have a village green of their own.

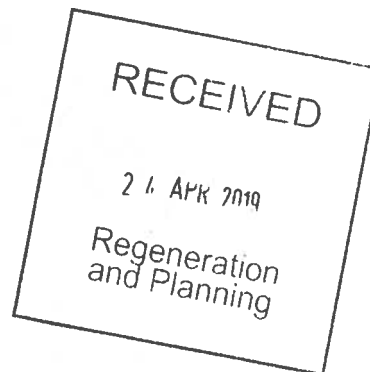
I believe that the facts stated in this witness statement are true.

Yours Faithfully



Rhys Ivory.

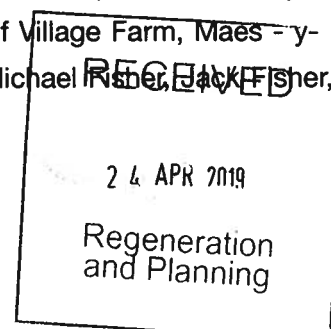
Resident of 23 Maes-y-Ffynon.



WITNESS STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER A VILLAGE GREEN AT MAES - Y - FFYNON , BONVILSTON

I, Alice Fisher, resident at 43 Village Farm, Bonvilston, CF5 6TY, make this statement in support of an application to register the Village Green at Maes - y - Ffynon.

1. I have been a resident of Village Farm for 25 years, since birth. I have grown up in Bonvilston and as such have enjoyed the surrounding areas including the Green in Maes - y - Ffynon.
2. From a young age, I remember visiting my friend, Zachary Ushers house, who lived at number 24, which overlooked the Green. I always remember my mother allowing me to walk to his house on my own due to it being a safe area. We would meet up and play on the Green and up near the area where the garages once stood.
3. Activities we would partake in could range from playing catch, frisbee, exploring nature, hide & seek, and making dens. I remember feeling safe in this area, as I was away from the main road.
4. As a result of the open nature of the Green, when I would meet up with my friends, Zachary Usher, his little sister - Georgia Usher and Georgina and Charles Jackson, who lived at number 13 Maes y Ffynnon , it meant that other children could see us out playing and join in with us if they liked. An example of this would be when Sarah & James Graves, who live at number 26 Village Farm, would join us when we met up. This was especially good because we went to different schools and still made time to socialise together on the Green.
5. It was an important meeting point for my friends and I when we would meet up after school by the bench at the bottom end of the Green.
6. Another memory of mine is one of playing up by where the garages used to stand. I remember making dens in the bushes up there and exploring our creativity and imaginations through nature. I believe this was a very important time for me, as even now, I fondly remember those times.
7. I also remember going for nature walks on the footpath behind the garages, next to Cottrell Park, which not only allowed us to socialise and have fun, but it allowed us to exercise as a result.
8. The main reason I chose to use the Green as my play area was that there was no viable play area option in Village Farm, other than to play in the road. This was not the most safe areas as there were frequently cars driving in and out of the estate.
9. Another reason for my support for the Green to be recognised is that, there was another area that we used to use which was the field with the public footpath behind the Red Lion, now known as 'The Walk'. This field was closer to my home and was a place where my brothers and I would play ball games regularly, with other residents of Village Farm, Maes - y - Ffynon and Bonvilston Village in general. These children included Michael Fisher, David Leech, Gareth Thomas, Joseph Rees and the Ivory boys.



10. The Green was also an area where I have walked my dogs many times too, due to it being an open green area which was a safe enough distance away from the road to be let off their leads.
11. Looking back on my experiences with the Green, I do not have much photographic evidence due to my age and the lack of technology. This was even more of a reason for us children to meet up and socialise as it was the only way we would be able to communicate. However, as a result of recent technological advances it means that people of all ages can take pictures of their experiences and share them with others. *I know I would rather a picture of a beautiful green field than another new build of flats.*
12. As my parents, Rosemary & Paul Fisher, were largely involved in the community activities and were known by other parents and residents in the village, they felt comfortable in the knowledge that I was safe to walk or cycle to the Green on a near daily basis with the strong sense of community both Village Farm and Maes - y- Ffynon had. Many of the residents were invested in our safety and wellbeing, so would keep an eye out for us when we were out on the Green, playing and having fun. These residents included Thelma Whiting, Cath Lougher, Betty Watts, Isobel Moffet, Murial Morgan and Glyn Roach.

I believe the facts stated in this witness statement to be true

Alice Isabelle Fisher

Dated : 22nd February 2019

STATEMENT IN SUPPORT OF AN APPLICATION TO REGISTER

A VILLAGE GREEN AT MAES - Y - FFYNON , BONVILSTON .

I, **Rosemary Fisher**, Retired Teacher, of 43, Village Farm, Bonvilston, CF5 6TY, make this statement in support of an application to register the Village Green at Maes-y-Ffynon .

Paul and I moved to Bonvilston in 1993 when I was pregnant with our third child. We wanted to bring up the children in a village environment with access to the countryside. Both Paul and I had grown up in small rural communities and we wanted something similar for our children.

Through various events and organisations in the village, we got to know some of the residents of Maes-y-Ffynon.

When the children were little and I was out pushing a pram, I would often meet people by the green and stop for a chat.

The 'regulars' were Muriel Morgan, Thelma Whiting and Mrs Watts. Muriel always had an opinion or two to share on events and people in the village and Thelma had, and still has, a friendly smile and was always ready for a chat. They would be on the green, walking their dogs or sitting on the bench, putting the world to rights and watching the goings-on.

When the children were old enough to go out to play with friends, I allowed them to walk or cycle around to the green in Maes-y-Ffynon. I felt this was a safe area for them to play, away from the A48. I also knew many of the people who lived around and near the green, so could rely that there would be 'eyes' on the children.

Kath Lougher lives in number 19 beside the green. She knew the children from working in Abracadabra Playgroup. They knew her as Auntie Kath and were always pleased to see her when they were playing on the green.

Isobel Moffat lived in number 18 beside the green and knew the children from Zoar Sunday school. Again, another friendly adult who the children would see when playing on the green.

I knew the Ushers who lived in number 24 as our children were all at St.Nicholas school together and we shared lifts.

My daughter Alice and their children, Zach and Georgia, played on the green together - making dens, riding bikes, making up games.....being children.

My two sons, Michael and Jack, regularly met up with other boys from the village and went up to the green to play football.

There'd be Michael & Jack, James Graves(26, Village Farm), the Ivory boys(23, Maes-y-Ffynon), Gaz Thomas(Sheepcourt Cottages), Joe Rees(The Red Lion pub) and David Leech(The Old Forge). I often had to go and round them up when it was time for tea. No mobiles then!

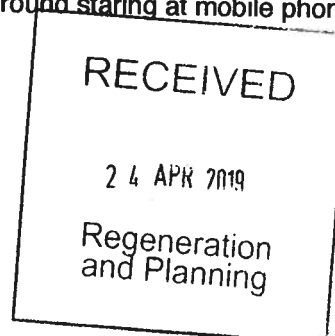
The green was the only place in the village where they could play a game of football. They sometimes explored in the overgrown Red Lion field but that has long since been developed for houses as 'The Walk'. Their alternatives were cycling along the A48 to the next village of St. Nicholas, or playing in the street outside our house.

My children regularly used the green in Maes-y-Ffynon to meet up with, and play with their friends until they were in their late teens; so from the mid/late 1990s to 2010.

It is of concern to me that the green is under threat of development. What will the children of the future have to look back onhanging round a manufactured playground staring at mobile phones?

I believe the facts stated in this witness statement to be true.

Rosemary Fisher
25th February, 2019



**Statement in support of an application to register a
Village Green at Maes Y Ffynnon, Bonvilston**

RECEIVED

7 1 APR 2019

Regeneration
and Planning

I, **Ceri Louise Hunt (formerly Jenkins)**, a financial adviser for Aviva Plc, Home based at 13 Maes Y Ffynnon, Bonvilston, CF5 6TT, make this statement in support of an application to Register the Village Green at Maes Y Ffynnon.

1. I moved to Maes Y Ffynnon in July 2015, 5 months pregnant with one older child who at the time was 8 years old. My husband, Nicholas's cousin resides at 21 Maes Y Ffynnon, overlooking the village green which is the subject of this application. This village green is one of the reasons we chose Bonvilston, and particularly Maes Y Ffynnon to raise our children.
2. My older son, Oliver remained at his former school as his decision, which incidentally was the same school attended by the grandson, Riley, of two of the other residents, Leigh and Tracey Ivory of 23 Maes Y Ffynnon, which also overlooks the village green. Whenever Riley would visit, Oliver would call on him and they would play various games, such as football and hide and seek, safely within earshot of our home. This was a comfort to us as without the village green he would not have engaged with other children in the community.
3. Oliver has regular sleepovers with friends from school, from 2016 to the present day and they take to the village green with nerf guns and water bombs as it is an ideal site for children to run around using the trees for shelter from the firing bullets and incoming water balloons. I have paced the green collecting the bullets and debris countless times to protect what is precious to me and my community.
4. I remember one occasion in the summer of 2016, where Oliver was out playing with a friend near the garages, I stopped being able to hear them so looked out of the window to see them on the roof of one of the garages, needless to say I shouted from the window to get down and they came back shortly after with a story they has concocted about how they were getting their ball down.
5. My youngest son, Thomas, is now three years old and we frequently take him onto the green with a football, where he tends to practice his unique skill of being able to fall from a standing position into the muddiest patch he can find. We often look for one of the many squirrels in the trees on the green which drive our dog, Max wild.
6. I grew up in Llangan, near the village hall on Heol Llidiard and a short walk from the village green where regularly we played cricket, football, attempts at tennins and mob mob on the green with the other neighbours, all of whom I know today. My reasons for moving to Bonvilston and Maes Y Ffynnon in particular were to give my son the same upbringing as I had, and this has certainly been the case since moving here.
7. I know the former residents of 13 Maes Y Ffynnon, Charlotte and Rebecca England. They lived here for 10 years combined as their mother, Ruth was the owner. Rebecca was the

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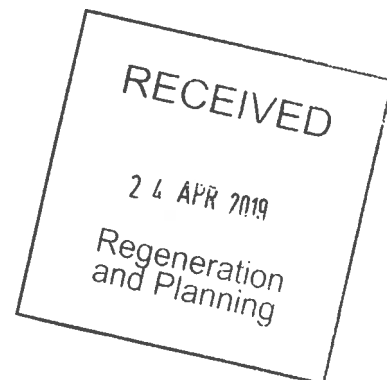
most recent resident and before I moved in and had two small children who frequently played on the green as a provision of community open space.

8. In the circa 4 years since I have moved here there has never been any signs placed on the green by the council asking to keep off the grass, in fact it has been generally accepted that the community use the green to exercise their dogs, specifically by the placing of notices adjacent to the village green advising dog owners to clean up after their pets.
9. I have to acknowledge the community spirited way that I have been welcomed into Maes Y Ffynnon, a community that, in the many cases, is occupied by the original owners of their properties in the street, since the 1950's. I would place this rare attribute on the way that the community was brought together in sharing the village green, the centre of the village, which has led them to stay in their homes for as long as they are physically able. This can be witnessed in several properties adjacent to the village green, and is, in my view, a testament to the ability of the residents to gather together, Thursday club is one example which ran during the 1990's and can be observed by the photograph.
10. The vale of Glamorgan council has referred to the green in documents relating to the former conservation area that used to cover the proposed site. This reference is testament to the value of the village green as one of the only two green spaces in the village. The former planning applications that would affect the village green were rejected on grounds that they would spoil the view of the amenity space, which in my view while researching the area I intended to live, told how valuable this space is, as it always was.

I believe the facts stated in this witness statement are true

Ceri Louise Hunt

Dated: 19th February 2019





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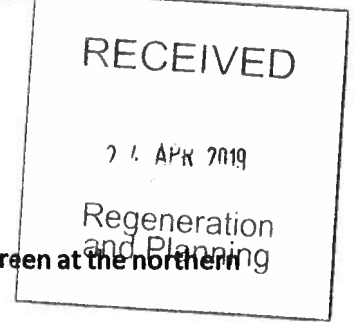
Appendix 2.13

Witness Statement in support of Application to Register a Village Green at Maes y Ffynnon, Bonvilston.

Name: Susannah Marie Thomas

Address: 4 Maes y Ffynnon, Bonvilston.

Occupation: Florist.

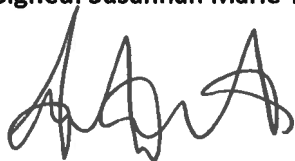


1. I am making this statement in support of the application to register a Village Green at the northern end of Maes y Ffynnon.
2. My husband, Rob Thomas, and I have been residents of 4 Maes y Ffynnon, Bonvilston, since Nov 2013.
3. Personally, during those 5 plus years, I have regularly seen our neighbours and other local visitors enjoying recreational activities on the Village Green at the northern end of Maes y Ffynnon. Specifically, I have witnessed people walking their dogs, children riding bikes, scooters. Plus I have seen parents and grandparents playing outside with their children and grandchildren be it football or just spending time exploring and learning about the local abundant wildlife. These activities have been witnessed on both the green area directly in front of houses 17-24 and also in the green space to the north and along the side / rear of house no. 24.
4. The main purpose of my witness statement is to provide a first hand account of the recent village event which took place on Saturday April 2nd 2019. This was a Village Fete in celebration of St David. This event was organised by the local resident's association (Maes y Ffynnon Resident's Association MYFRA) and was widely supported by both the residents of our village and surrounding villages including St Nicholas and Peterston Super Ely as well as some visitors from Cardiff.
5. The total number of people that attended this event exceeded 60 people. Attached are photos (Appendix Ref 3.22, 3.23, 3.24, 3.28, 3.33) showing some of the many people that attended and the various activities including:
 - Cake stall – with lots and lots of donations made for us by local residents. See photo attached. (Appendix Ref 3.34 and 3.20)
 - Hide and Leek – a trail for the children which saw the children seeking leeks to find clues attached to solve a puzzle. This trail involved finding large leeks hidden around the site, including the area to the north of the main grass section alongside and behind house no 24.
 - Best Welsh Cake Competition – The Winner was crowned Best Baker in the Village.
 - Daffodil planting – Pots of miniature daffodil plants were provided and local residents planted them around the green. This was a continuation of a tradition begun by some of our first residents who planted bulbs around the green in memory of loved ones who passed away. So their memories remain with us for future as the plants re-flower every year. Over 20 different people participated in the bulb planting, with many people planting more than one pot of bulbs. Bulbs were planted in a number of different areas around the Green. Personally, I planted 5 pots in memory of my father-in-law who passed away last December. See photos attached. Appendix reference 3.37.
 - Craft area for the children with a selection of St David's Day crafts and activities provided. See photo attached. Appendix ref 3.31
 - A Best Dressed Competition for kids of all ages. The winner was local resident Tommy, who won due to his original idea to come dressed as a Celtic Knight. See photos attached. Appendix ref 3.24 & 3.31.
 - Tea and cake stand with all cake home made by our fellow villagers and also run by our local residents too. See photos attached. Appendix reference 3.21 and 3.35

- Marshmallow toasting around a camp fire. See photo above of the Celtic Knight. Appendix ref 3.24.
 - Tombola stand. Appendix ref 3.32.
6. As one of the organisers of this event, whilst at the fete and also subsequently, I received many enquiries from other local residents about the future events proposed by the newly formed Residents Association and also we received offers to support our efforts to register the Village Green and protect it. As a result of the community's continued support, the Residents' Association are planning a number of different events for later this year including barbeques and music events as well as children's activities.
7. The success of this event and the interest shown by the community about future events, is further evidence that our community continues to treasure this valuable Green Space both in its current use and for future generations to come.

I believe that the facts stated in this witness statement are true.

Signed: Susannah Marie Thomas



Dated: 16/4/19

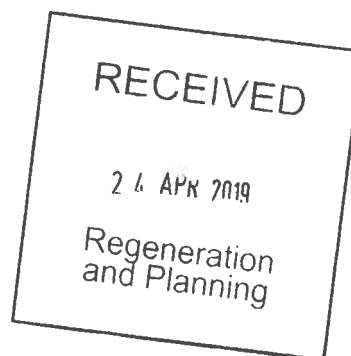


Photo 1



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21 APR 2010

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Sheila Whiting + Kelvin Mustow
approx 1956



Photo 2

Appendix 3.2

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Sylvia Jones

1960's

1960's

1960's

Photo 3

Appendix 3.3

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Betty Watts, Joan Mankate, Cec Muston
Barbara Muston + Thelma Smithing

Photo

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Regeneration
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21 APR 2019



1977 Silver Jubilee - celebrations

Photo

Appendix 3.4



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27 APR 2019

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and Planning

1977 - Silver Jubilee Celebrations

Andro 4

Appendix 3.6

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24 APR 2010

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Big Freeze 1980s

Appendix 3.7

Photo 5



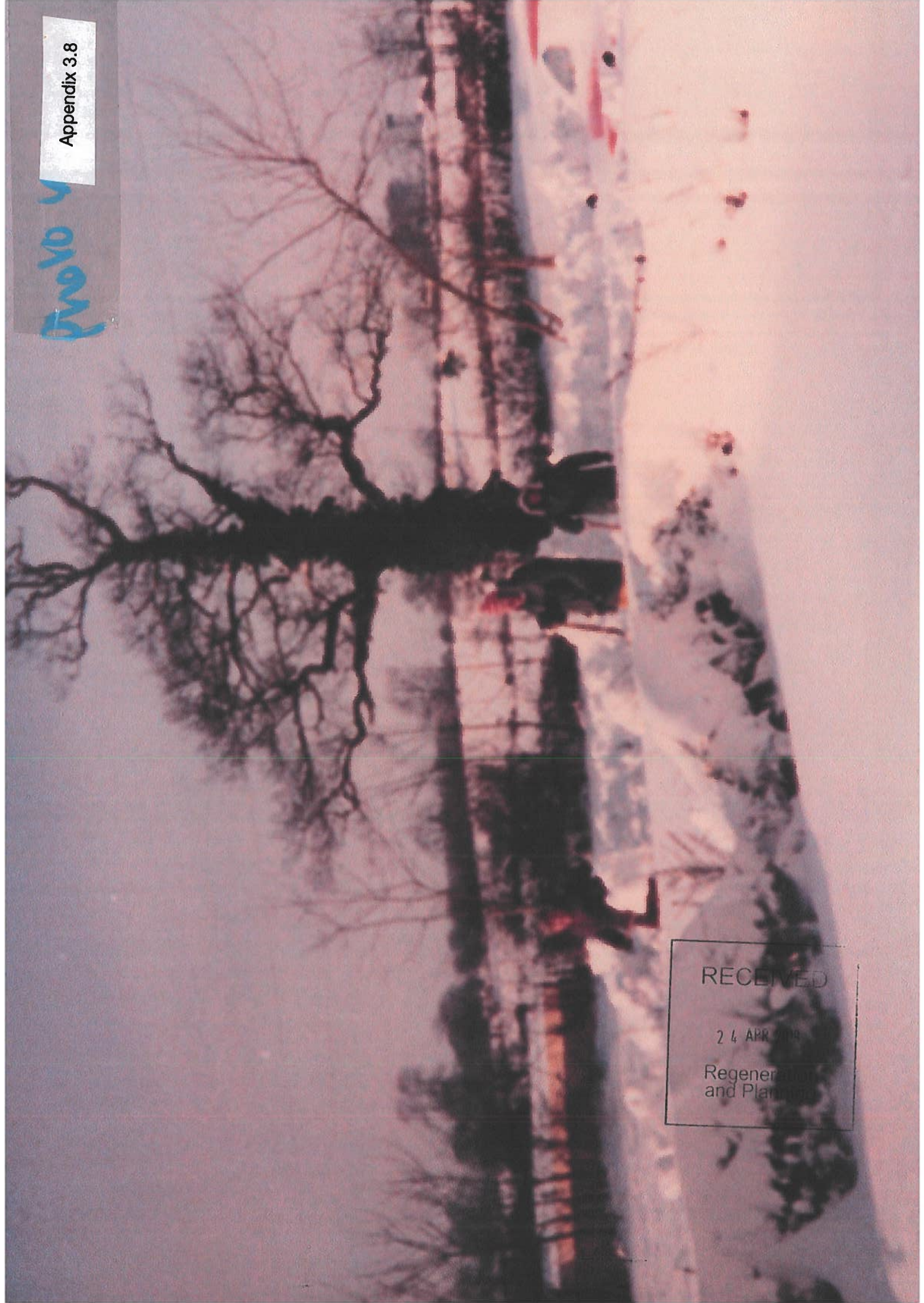
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7 4 APR 2019
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and Planning

Big Freeze 1980s

1980
1981
1982

PROVO

Appendix 3.8



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24 APR 2008
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and Planning

Big Freeze 1980s

Appendix 3.9

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21 APR 2019

Regeneration
and Planning

Big Moose 1980s

Big Moose
1980s
Moose
1980s

Photo 8

Appendix 3.10



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Big Moose

1980s

1980s
Big Moose
1980s

1990s - Big freeze Shedding - Rhys & Jordan Ivory

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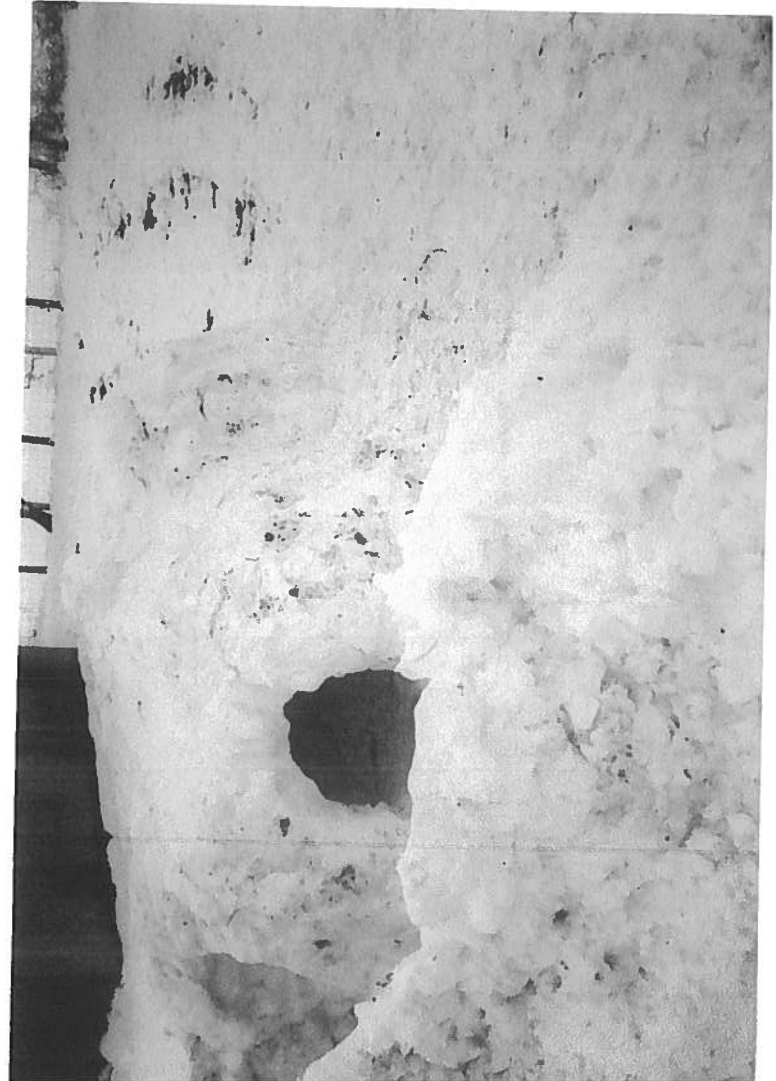


1990s - Big Freeze - 19100

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1990s - Big Freeze 19100



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1990's - Big Freeze Igloo.



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1990s - Big Freeze Sledging

Rhys & Jordan Ivory



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1990s - Big Freeze Shedding - Khyas A Jadam Lucky



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24 APR 2019
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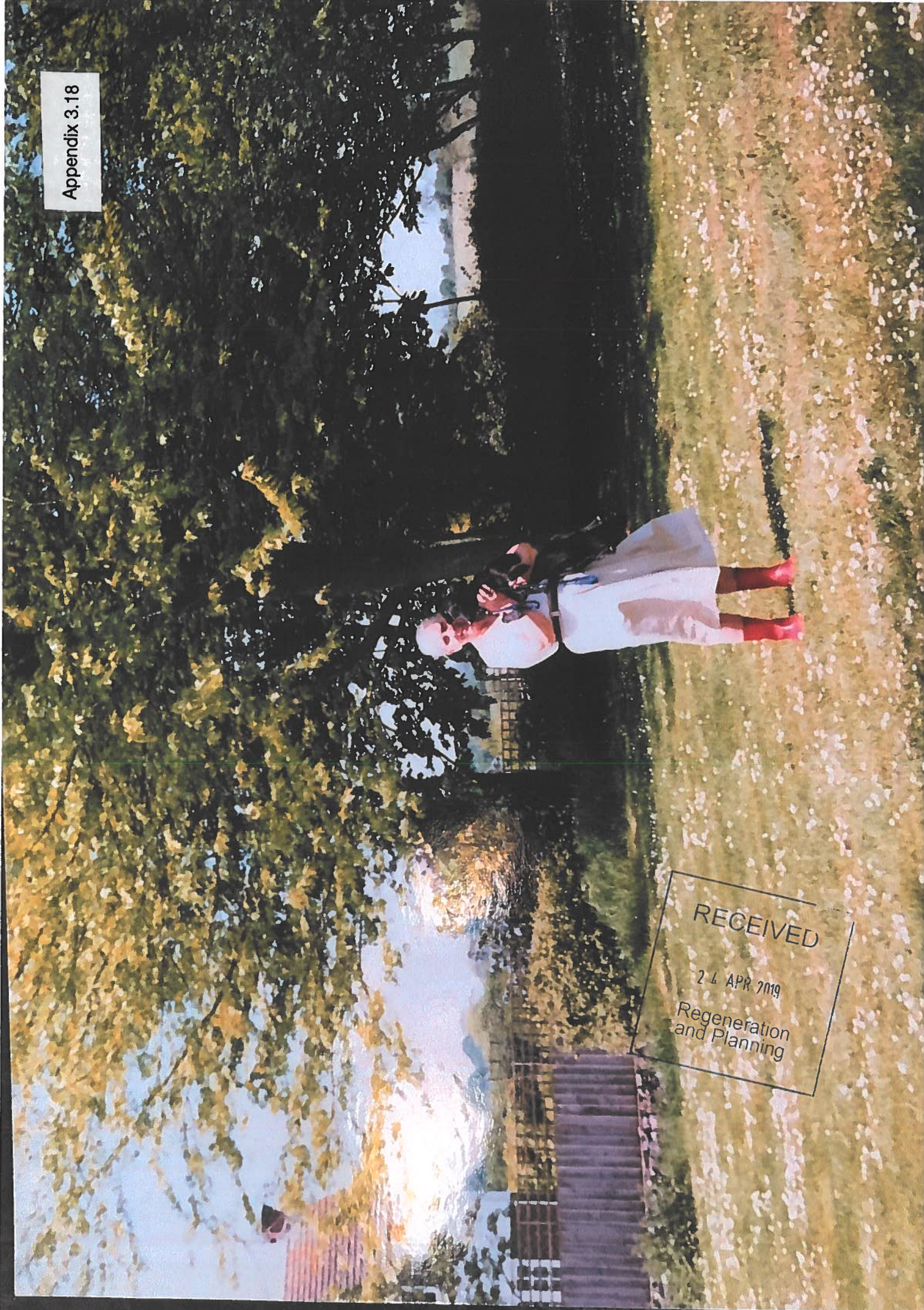
21 APR 2019

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Ive Morgan 1990s

Appendix 3.18

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Eve Morgan & Teg ^{Kate} ~ 1980s & 90s.



19835
11/4/97

Photo 11

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Rugs A Jordan Bike riding 1997

Love Jordan

1997

WEX R0011 34 03 2019 10:00 AM



Suzi Thomas at the St Davids Day fête 2019



2008 March 20th at St David's Day Fete

Alex Brown at the St David's Day Fete serving teas and coffees



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 7/1 APR 2004
 Regeneration and Planning

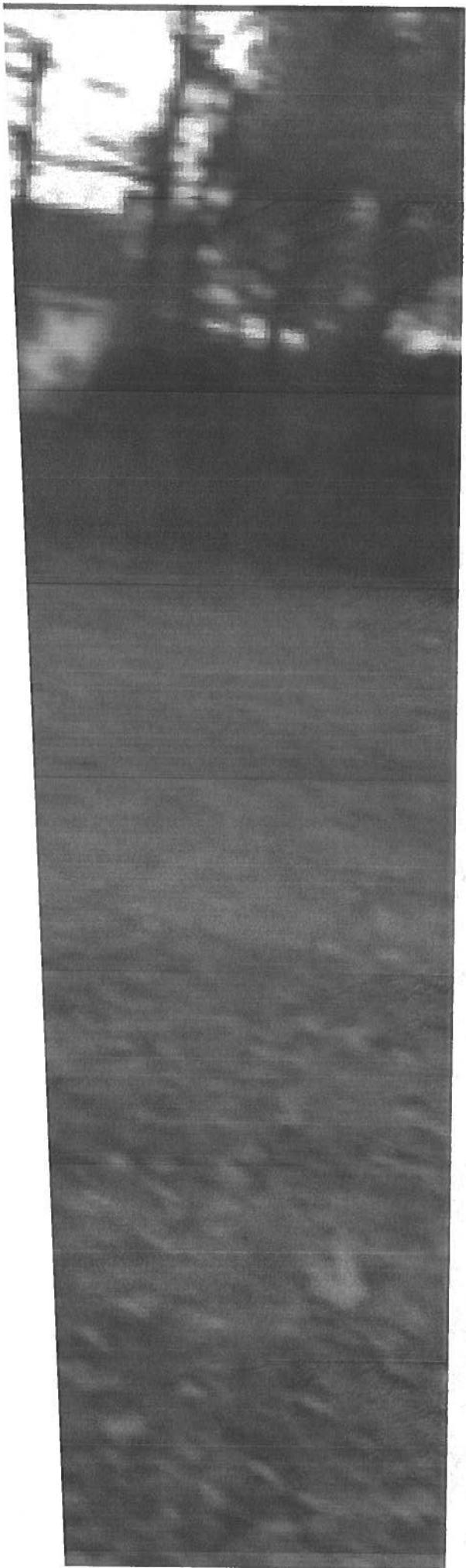
2004 APR 7 11:00 AM (SCEC)



The St Davids day village fête March 2019



Residents at St Davids Day March 2019



1/1 1/2



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26 APR 2019
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Cen Hunt with Max the dog and a relative
March 2019



Duplicate



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7 / APR 2019

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Alex & Kyra

Dog Training

2019

2019



RECEIVED
JAN 20 2011
Regeneration
and Planning

Shere & Ebony

2019



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7 / APR 2010
Regeneration
and Planning



Alex Brown - enjoying the Green
at one of her many occasions
Current resident

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Appendix 3.31



fete : Children's Grab area
With Best Dressed Winner
Tommy as Celtic Knight .

Appendix 3.32



fete: Tombola stand being
set up

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fete: General Scenes
April 2, 2019.



24 APR 2019

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and Planning

Appendix 3.34



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7 1 APR 2019

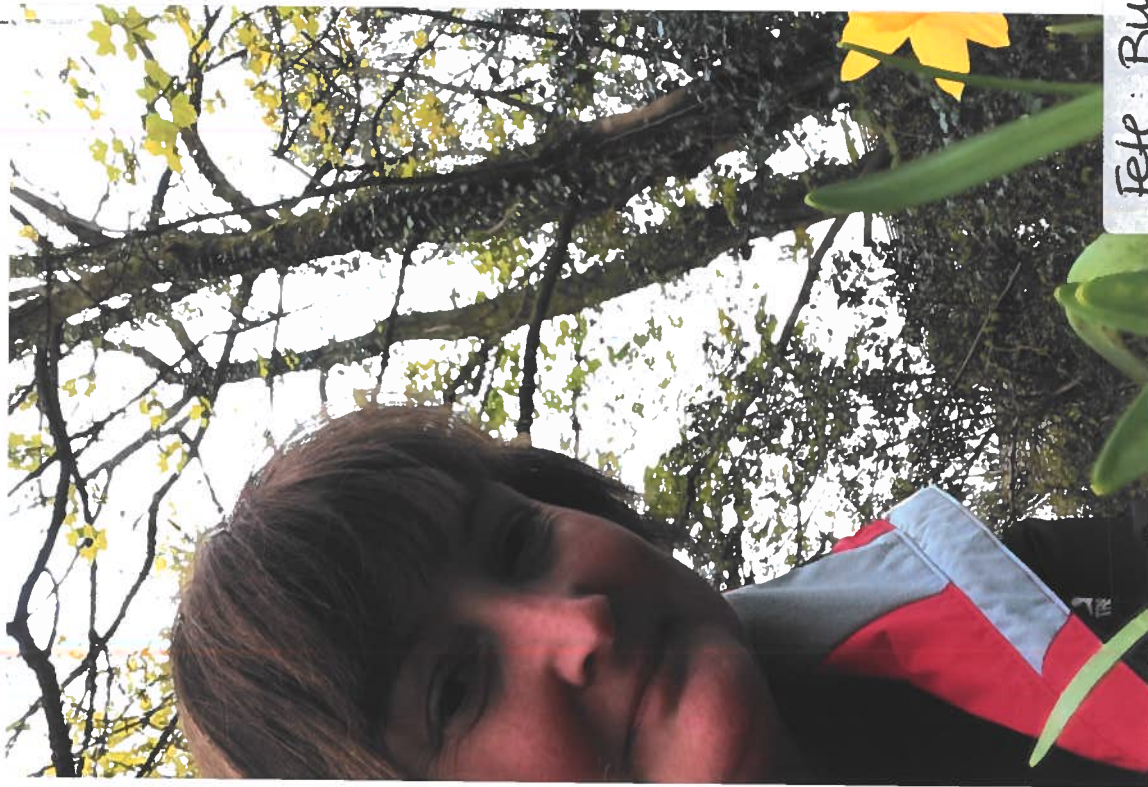
Regeneration
and Planning

fete: Cake stand with some
of many donated cakes

Appendix 3.35



fete: Tea & coffee stand.



Fete: Bulb Planting
Selfie of Suzi Thomas planting
+5 plants I planted, near
plants already in situ on
green. planted by others



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and Planning

Appendix 3.36

Appendix 3.36

Video from 1997 of children playing on
Village Green at Northern End of
Bonvilston. Part of village Green
application.

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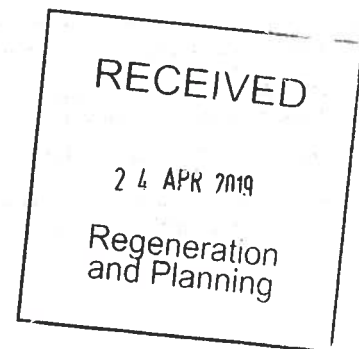
7 4 APR 2019

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and Planning



**EVIDENCE QUESTIONNAIRE
IN SUPPORT OF CLAIM FOR
REGISTRATION AS A NEW GREEN**

COMMONS ACT 2006



25a Bell Street, Henley-on-Thames, RG9 2BA
Email: hq@oss.org.uk Website: www.oss.org.uk
(registered in England and Wales, limited company number 7846516, registered charity: 1144840)

(Please return this form to the applicant not to the Open Spaces Society)

Date 1.1.2013

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	STEVEN CLARKE	
ADDRESS	21 MAES Y FFYNNON, BONVILSTON	
POSTCODE	CF5 6TT	TELEPHONE NO

1. Address when you used the land. (The land in this form means 'the claimed land'.)	As Above	
2. Address when you knew the land was used by the local inhabitants.	As Above	
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No	
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in (state the colour)		
4. Please mark the location of your house on 'Map A' with an X.		
5. By what, if any, name is the land shown on 'Map A' known?	The Green	
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO	
7. For how many years have you known the land?	From 2010 to 2019	
8. Between which years did you use it?	From 2010 to 2019 Then from to	

9. Do you consider yourself to be a local inhabitant in respect of the land?
YES

10. During the time you have used the land, has the general pattern of use remained basically the same?
YES

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|----------------------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> SCHOOL CATCHMENT AREA | <input checked="" type="checkbox"/> AREA POLICEMAN |
| <input type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input checked="" type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input checked="" type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input checked="" type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
No

13. How do/did you gain access to the land? **I can walk freely onto The Green, which is opposite my house.**

14. Why do you go on to this piece of land? **walk the dog, throw balls for the dog. Attend village events, bird watching, walking to the car, Pub, neighbours.**

15. How often do/did you use the land (apart from the public paths)?

16. What activities do/did you take part in? **Dog walking, dog activities, bird watching, village events.**

17. Does your immediate family use the land?
YES

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18. If so, what for? Dog walking
19. Do you know of any community activities that take place or have taken place on the land?
19a. Please list them and state when and for how long they have taken place.
20. Do you participate in any of them?
21. Do any organisations use the land for sports or pastimes? If so please specify.
22. Do any seasonal activities take place on the land?
23. Please tick all the activities that you have seen taking place on the land.

- | | |
|------------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input checked="" type="checkbox"/> BIRD WATCHING |
| <input type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input checked="" type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land? The Vale of Glamorgan Council - Yes.
25. Do you know who is the occupier of the land? NO occupiers
26. Has the owner or occupier seen you on the land? NA

27. What did he or she say?	NA
28. Was permission ever sought by you for activities on the land?	Never required
28a. If so, from whom and when.	NA
29. Did anyone ever give you permission to go onto the land?	NO
29a. If yes, when and the reason.	NA
30. Have you ever been prevented from using the land?	NO
30a. If yes, when and the reason.	NA
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	NO
31a. If yes, give examples and dates.	NA
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	<p style="text-align: right;">Yes/No</p> <p>only used for recreational sports & parties</p>
33. Are you willing to lend them to us?	<p style="text-align: right;">Yes/No</p> <p>photographs of recreational sports & parties provided by MYFRA - This is the only usage of the Green.</p>
34. If you have additional information please attach a separate statement.	<p style="text-align: right;">Yes/No</p> <p>Supporting Statement from MYFRA provided</p>

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<p>35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and addresses upon the reverse of this form.</p>	<p>Yes/No</p>
<p>36. I have carried on the activities referred to in this questionnaire for ... <u>8</u> ... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.</p>	
<p>37. <i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i></p>	
<p>38. <i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i></p>	

Signed S. Ell Date 15/4/2019

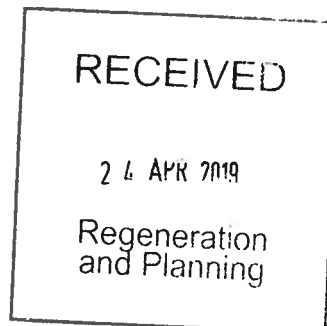
(Please return this form to the applicant not to the Open Spaces Society)

NOTES FOR THE INTERVIEWER

THE GROUNDS FOR REGISTRATION OF A TOWN OR VILLAGE GREEN

Commons Act 2006 section 15, Registration of greens

- (1) Any person may apply to the commons registration authority to register land to which the Part ie part 1 of the Commons Act 2006, registration applies as a town or village green in a case where subsection (2), (3) or (4) applies.
- (2) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and
 - (b) they continue to do so at the time of application.
- (3) This subsection applies where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



1 January 2013



Nicholas Hunt
13 Maes y Ffynnon
Banvilston
CF5 6TT

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**EVIDENCE QUESTIONNAIRE
IN SUPPORT OF CLAIM FOR
REGISTRATION AS A NEW GREEN**

COMMONS ACT 2006



25a Bell Street, Henley-on-Thames, RG9 2BA
Email: hq@oss.org.uk Website: www.oss.org.uk
(registered in England and Wales, limited company number 7846516, registered charity: 1144840)

(Please return this form to the applicant not to the Open Spaces Society)

Date 1.1.2013

**EVIDENCE QUESTIONNAIRE IN SUPPORT OF REGISTRATION AS
A NEW GREEN**

NAME	Nicholas Hunt	
ADDRESS	13 MAES Y FFYNNON, BONVILSTON	
POSTCODE	CFS 6TT	TELEPHONE NO 01446 781651

1. Address when you used the land. (The land in this form means 'the claimed land'.)	Since moving to Bonvilston in 2015
2. Address when you knew the land was used by the local inhabitants.	I've lived locally all my life and was aware of this green throughout
3a. Did you sign the reverse side of 'Map A' confirming it relates to this evidence provided by you? (Map A is the map showing the claimed land, and the claimed locality which uses the land, which should accompany the form and which will subsequently accompany the application: see Form 44 part 5 & 6 (and note 5 & 6).)	Yes/No <input checked="" type="radio"/> No
3b. Please confirm that you agree with the boundaries of the locality (or neighbourhood within a locality) on 'Map A' edged in Red..... (state the colour)	Yes
4. Please mark the location of your house on 'Map A' with an X.	
5. By what, if any, name is the land shown on 'Map A' known?	The Village Green
6. Has it ever to your knowledge been known by any other name? If so, what name?	NO
7. For how many years have you known the land?	From Birth to NOW
8. Between which years did you use it?	From 2015 to NOW Then from to

9. Do you consider yourself to be a local inhabitant in respect of the land?
 Yes

10. During the time you have used the land, has the general pattern of use remained basically the same?
 Yes

11. What recognisable facilities are available to the local inhabitants of your locality? Please tick all boxes that apply and add any OTHER additional matters not covered.

- | | |
|----------------------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> SCHOOL CATCHMENT AREA | <input type="checkbox"/> AREA POLICEMAN |
| <input checked="" type="checkbox"/> LOCAL SCHOOL | <input type="checkbox"/> DOCTOR'S SURGERY |
| <input checked="" type="checkbox"/> RESIDENTS' ASSOCIATION | <input checked="" type="checkbox"/> COMMUNITY ACTIVITIES |
| <input type="checkbox"/> COMMUNITY CENTRE | <input type="checkbox"/> NEIGHBOURHOOD WATCH |
| <input checked="" type="checkbox"/> LOCAL CHURCH OR PLACE OF WORSHIP | <input type="checkbox"/> A CENTRAL FEATURE |
| <input type="checkbox"/> SPORTS FACILITY | <input type="checkbox"/> SCOUT HUT |
| <input checked="" type="checkbox"/> LOCAL SHOPS | <input type="checkbox"/> OTHER (Please state) |

12. To your knowledge are there any public paths crossing the land?
 NO

13. How do/did you gain access to the land?
 The area is open

14. Why do you go on to this piece of land?
 Recreation, play football with kids, events

15. How often do/did you use the land (apart from the public paths)?
 Monthly as a minimum, more during the summer

16. What activities do/did you take part in?
 football, dog walking, fêtes, hide + seek

17. Does your immediate family use the land?
 Yes

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 24 APR 2019
 Regeneration and Planning

18. If so, what for? Same as above
19. Do you know of any community activities that take place or have taken place on the land? St Davids day fete, bulb planting
19a. Please list them and state when and for how long they have taken place. as above
20. Do you participate in any of them? Yes
21. Do any organisations use the land for sports or pastimes? If so please specify. No
22. Do any seasonal activities take place on the land? Yes
23. Please tick all the activities that you have seen taking place on the land.

- | | |
|------------------------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> CHILDREN PLAYING | <input checked="" type="checkbox"/> FOOTBALL |
| <input type="checkbox"/> ROUNDERS | <input type="checkbox"/> CRICKET |
| <input type="checkbox"/> FISHING | <input type="checkbox"/> BIRD WATCHING |
| <input checked="" type="checkbox"/> DRAWING AND PAINTING | <input checked="" type="checkbox"/> PICNICKING |
| <input checked="" type="checkbox"/> DOG WALKING | <input type="checkbox"/> KITE FLYING |
| <input checked="" type="checkbox"/> TEAM GAMES | <input checked="" type="checkbox"/> PEOPLE WALKING |
| <input checked="" type="checkbox"/> PICKING BLACKBERRIES | <input type="checkbox"/> BONFIRE PARTIES |
| <input checked="" type="checkbox"/> COMMUNITY CELEBRATIONS | <input type="checkbox"/> BICYCLE RIDING |
| <input checked="" type="checkbox"/> FETES | <input checked="" type="checkbox"/> CAROL SINGING |
| <input type="checkbox"/> OTHER (Please state) | |

24. Do you know who is the owner of the land? Yes
25. Do you know who is the occupier of the land? No occupiers
26. Has the owner or occupier seen you on the land? No

27. What did he or she say?	n/a
28. Was permission ever sought by you for activities on the land?	Never required
28a. If so, from whom and when.	n/a
29. Did anyone ever give you permission to go onto the land?	no
29a. If yes, when and the reason.	n/a
30. Have you ever been prevented from using the land?	no
30a. If yes, when and the reason.	n/a
31. Has any attempt ever been made by notice or fencing or by any other means to prevent or discourage the use being made of the land by the local inhabitants?	no
31a. If yes, give examples and dates.	n/a
32. Do you have any photographs or any other evidence of use of the land by local inhabitants?	Yes/No <input checked="" type="radio"/>
33. Are you willing to lend them to us?	Yes/No n/a
34. If you have additional information please attach a separate statement.	Yes/No n/a

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<p>35. If you have knowledge of others who may be in a position to complete an evidence form, would you please write their names and addresses upon the reverse of this form.</p>	<p>Yes/No</p>
<p>36. I have carried on the activities referred to in this questionnaire for ...<u>4</u>... years without anybody trying to stop me and I believe the activity should be treated by the law as having a lawful origin.</p>	
<p>37. <i>I understand that the evidence form I have completed in relation to this application may become public knowledge and I authorise the applicant to disclose this form to anyone reasonably requiring access to this application.</i></p>	
<p>38. <i>I also understand that this evidence may be presented at a non-statutory inquiry and I authorise the applicant to use this form for that purpose.</i></p>	

Signed  Date 12-04-19

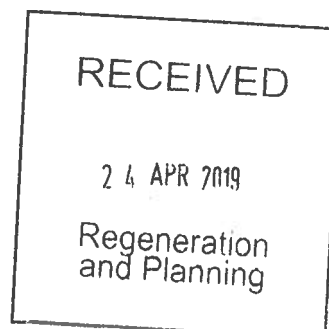
(Please return this form to the applicant not to the Open Spaces Society)

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 - (b) they ceased to do so before the time of the application but after the commencement of this section; and
 - (c) the application is made within the period of two years beginning with the cessation referred to in paragraph (b).
- (4) This subsection applies (subject to subsection (5), where –
 - (a) a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
 - (b) they ceased to do so before the commencement of this section; and
 - (c) the application is made within the period of five years beginning with the cessation referred to in paragraph (b).



1 January 2013

Date/Dyddiad 9 December 2019

Ask for/Gofynwch am James Docherty

Telephone/Rhif ffôn 01446 709781

e-mail/e-bost jdocherty@valeofglamorgan.gov.uk

The Vale of Glamorgan Council
Civic Offices, Holton Road, Barry CF63 4RU

Cyngor Bro Morgannwg
Swyddfeydd Dinesig, Heol Holton, Y Barri CF63 4RU

www.valeofglamorgan.gov.uk
www.bromorgannwg.gov.uk



Your Ref/Eich Cyf

My Ref/Cyf

JDD/TVG/C03-0275

Maes Y Fynnon Residents Association

c/o 21 Maes Y Ffynnon
Bonvilston
Vale of Glamorgan
CF5 6TT

Also by e-mail: loumol@sky.com

Dear Sirs

RE: VILLAGE GREEN APPLICATION, MAES Y FYNNON, BONVILSTON

Commons Act 2006 – Village Green Application – Maes Y Ffynnon
Application No: 01/2019/VG50

Please find attached a copy of the Council's objection to your Town and Village Green Application.

Noting that we are now close to the Christmas break I would be grateful if you were able to provide a response to the objection by Friday 17th January 2020.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Victoria Davidson', written over a horizontal line.

Victoria Davidson
OPERATIONAL MANAGER, LEGAL SERVICES
cc. St Nicholas with Bonvilston Community Council



COMMONS ACT 2006

APPLICATION UNDER SECTION 15 TO REGISTER LAND AS A TOWN OR VILLAGE GREEN

LAND AT MAES Y FFYNNON, BONVILSTON

NOTICE OF OBJECTION

Background/Introduction

1. The Vale of Glamorgan Council (**'the Council'**) (acting through the Environment and Housing Services Department – Housing Services Division) wishes to object to the application made to register land at Maes Y Ffynnon, Bonvilston (**'the Land'**) as town or village green (**'TVG'**). This objection is made by the Council in its capacity as landowner. The Council is separately represented in its capacity as town and village green registration authority for the county borough area under the Commons Act 2006. All references to the Council in this notice of objection refer to the Council in its capacity as landowner. References to 'Registration Authority' are references to the Council acting in that capacity.
2. As stated, the Council is the owner of the Land at Maes Y Ffynnon, Bonvilston. The Council's predecessor authority Cardiff Rural District Council acquired the Land by way of a conveyance dated 09 January 1956 (**'the 1956 Conveyance'**). The 1956 Conveyance states that the Land is purchased in exercise of the powers given to Cardiff Rural District Council by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers.
3. The Land was subsequently appropriated to housing and developed as a housing estate with ancillary roads and open space areas in accordance with Cardiff Rural District Council's powers under the Housing Act 1936.
4. The Land is registered in the name of the Council at Land Registry under title number CYM410667 where it is described as land at Maes Y Ffynnon, Bonvilston. The Land comprises a former garage site, roadway and grassed open space areas.

5. The application to register the Land as TVG was made on behalf of the residents of the Maes Y Ffynnon Residents Association together with St Nicholas and Bonvilston Community Council ('the Applicant') on the 23 May 2019 ('the Application'). The Registration Authority notified the Council of Application to register the Land as TVG on the 13 September 2019. The Registration Authority has provided the Council with a copy of the Application.
6. The Council has submitted a planning application to the Local Planning Authority for the development of 10 affordable housing units on a 0.3ha part of the Land to the north of the existing housing at Maes y Ffynnon. The proposed development lies within the settlement boundary of Bonvilston and is situated on land which can be considered a mix of previously developed land and open space. The loss of open space under the proposal is 0.18ha and therefore, a significant part of the existing open space will be retained despite the proposed development. It is believed that the Application is an attempt to frustrate this development.

Basis for Objection, Legal Framework and Application of Legal Framework

7. As stated above, the Council wishes to object to the Application and believes that the Application should be refused by the Registration Authority in its entirety and further, that no public inquiry should be necessary on the basis of the following.
8. Before addressing the Council's substantive objection, it should be noted that parts of the Land are intersected and covered by roadway, pathway and disused garages. Most of the roadway is adopted highway and therefore cannot be registered as TVG because use of this part by the public is by legal right.
9. Furthermore, any use that may not be considered lawful for highway purposes could not be reasonably discernible to a landowner so as to give rise to public usage sufficient for a TVG application. Consequently, such use would be incompatible with this part of the Land being TVG in any event.
10. In a similar vein, it is asserted by the Council that the parts of the Land covered by unadopted roadway/pathway and disused garages do not have the physical characteristics or purpose to be included in a TVG application. The use of the

former disused garage site (including access to it and the car parking area) would have been with the Council's permission and the inclusion of these parts of the Land are therefore incompatible with a TVG application also.

11. Moving onto the substantive legal objection to the Application.
12. The Application is made pursuant to section 15(1) of the Commons Act 2006 ('the 2006 Act') on the basis that section 15(2) of the 2006 Act applies. The relevant criteria to be established is therefore whether "*a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and they continue to do so at the time of the application*".
13. The burden of proving that the Land has become TVG lies with the Applicant. All the criteria required to establish that the Land has become TVG must be properly and strictly proved by the Applicant on the balance of probabilities. The case law for this is **Beresford** (although **Beresford** has been overruled by **Barkas** – see below - it was not done so on this particular point which remains good law.
14. The Council is not disputing the criteria that a 'significant number of inhabitants' have used parts of the Land for 'lawful sports and pastimes' for a period of 'at least 20 years' and 'continue to do so'. Instead this is relied upon in support of its objection to the Application.
15. The Council's objection to the Application is on the basis that the use of the Land for lawful sports and pastimes by local inhabitants has been 'by right' (i.e. in exercise of a legal right to do so) and not 'as of right' within the meaning of section 15(2) of the 2006 Act (i.e. without permission, force or secrecy).
16. Accordingly, the Council maintains that the statutory criteria under the 2006 Act has not been met or correctly asserted by the Applicant.
17. The legal framework in support of the Council's objection are the cases **R (Beresford) v Sunderland City Council (2004) 1 AC 889 ('Beresford')** and **Barkas v North Yorkshire County Council (2012) EWCA Civ 1373 ('Barkas')**

18. In *Beresford*, the House of Lords gave strong guidance - albeit *obiter* - that where user is pursuant to a legal right, it cannot be user 'as of right' as required under section 15(1) of the Commons Act 2006. Following this, and more recently, it was accepted in *Barkas* that *Beresford* is authority for the proposition that there is a distinction between use of land 'by right' and use of the land 'as of right'.
19. The Supreme Court's decision in *Barkas* is the leading case on 'by right' use. The Court held that recreational land provided and maintained by a local authority pursuant to section 12 of the Housing Act 1985 or its statutory predecessors was used by the public 'by right' and not 'as of right' within the meaning of section 15 of the 2006 Act. Therefore, if local inhabitants are indulging in lawful sports and pastimes on land 'by right' and not 'as of right' an application to register land as TVG will fail.
20. It further held that a recreation ground provided for public use by a local authority pursuant to any of its statutory powers would similarly be used by the public 'by right' and not 'as of right'. Where land is held by a local authority for the statutory purpose of recreation, and members of the public then use the land for that purpose, then they so use it pursuant to a statutory right to do so. They are accordingly not trespassers, which is a pre-requisite of land being used 'as of right'. A use 'by right' was instead found to be *precario*.
21. In applying the established legal principles derived from *Barkas* specifically to the Land and this Application, please note the following.
22. When the Land was acquired by Cardiff Rural District Council (a predecessor in title of the Council and itself a creature of statute) in 1956 it was by virtue of the 1956 Conveyance and as stated above, in exercise of the powers given to the Rural District Council by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers.
23. Following this, the Rural District Council developed the housing on this part of Maes Y Ffynnon and duly laid out road, open space and other facilities ancillary to the housing development on the Land.
24. It is apparent from the evidence contained in the Application itself that this was done and that since that time, it has been held and managed by the Council as housing land pursuant to the powers conferred on it (and its predecessor

authorities) by sections 79 and 80 of the Housing Act 1936 and in accordance with any subsequent housing legislation.

Conclusion

25. It is therefore proper to assume that the Council has been holding the Land for recreational purpose and associated amenity areas connected with the housing located at Maes Y Ffynnon and for the benefit of the residents. Therefore, any use of that part of the Land that is actually open space by the public for lawful sports and pastimes has been 'by right' and not 'as of right'.

26. It is furthermore proper to assume that the local inhabitants i.e. the residents of Maes Y Ffynnon, have had a statutory right to use the Land since it was acquired by the 1956 Conveyance and requirements of section 15(1) of the Commons Act 2006 in connection with the registration of the Land as TVG are therefore, not met and for the reasons stated in this notice, the Application must fail.

Further grounds

27. The Council reserves the right to add to and amplify these grounds for objection at a later stage if required.

Jocelyn Ham, solicitor on behalf of the Council

Date: 04 December 2019.



Docherty, James

From: loumol@sky.com
Sent: 20 December 2019 12:56
To: Docherty, James
Subject: Town and Village Green Application - Maes y Ffynnon, Bonvilston
Attachments: Village Green Response to Council Dec 2019.docx

Dear Sirs

We acknowledge receipt of your objection to register the Village Green and attach an initial request to extend the period proposed to allow appropriate consultation and time to draft a response.

Yours Sincerely

Maes Y Ffynnon Residents Association

Maes Y Ffynnon Residents Association
c/o 21 Maes Y Ffynnon
Bonvilston,
CF5 6TT

Victoria Davidson
c/o James Docherty
The Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

12/12/2019

Dear Sirs

Village Green Application, Maes Y Ffynnon, Bonvilston - No: 1/2019/VG50

I acknowledge receipt of your correspondence dated the 9th December 2019, received via email on Tuesday 10th December 2019. Due to the logistics and timescales to circulate the correspondence to all those involved and request and collate feedback for an appropriate response, this reply has been issued to yourselves as soon as possible, prior to Xmas. The correspondence you issued provides a 'Notice of Objection' and provides a background of information, reasons for the objection and a conclusion in respect of the reasons for the objection.

In the cover letter accompanying the objection to the application to register the area of land as a Village Green you request a response to the objection by the 17th January 2020. As this only provides a very short timescale to collate and present an informed and appropriate response I am requesting that there is an extension to this period, to the 31st March 2020. The reasons and rationale for the request to extend the period proposed for a response to your objection are detailed below:

- The application was originally submitted in April 2019. A minor amendment to the initial application to include an additional map defining the locality using the Green was made and it was resubmitted and accepted on the 23rd May 2020.
- We have been awaiting a response from the Council for nearly 7 months to this initial application.
- The application was only passed via internal departments to the Council by the Registration Authority on the 13th September 2019, 16 weeks after it had been acknowledged and accepted.
- The timescale proposed is limited and thus restricts the opportunities to engage with the residents involved within the local community and the St Nicholas and Bonvilston Community Council.
- The Christmas and New Year festivities present significant challenge to arrange and facilitate appropriate meetings and discussions amongst residents from, Maes Y Ffynnon Residents Association, (MYFRA), or the Community Council to understand the implications of the objections.

- There are significant challenges presented to prevent opportunities to facilitate appropriate meetings to allow MYFRA to make informed decisions on the next steps we should take and how to move forward, most significantly engaging with the Community Council.
- Key individuals within the MYFRA group are unavailable for several weeks during December and January, which presents a difficulty in collating and presenting a comprehensive response, by those most integral to the required and planned response.
- This deadline does not allow enough time to engage and consult with the St Nicholas and Bonvilston, Community Council and facilitate appropriate meetings.
- The details of the objection provided, includes a range of historical data around how the land was acquired by the council that has not been made available to the applicant on behalf of the residents.
- The timescale proposed prevents the opportunity to further pursue appropriate information to understand the background of how the land was acquired and its intended use, as previous requests for factual evidence relating to the purchase / usage of this land through a 'Freedom of Information request', have proved to be lengthy and not provided any information, as the council concluded that there was no information of this nature available. The objection to this application suggests otherwise.
- The reasons provided for the objection make reference to legal framework and case history around previous failed applications to register a Village Green, that are historical and based in England. An accurate and informed response to the significance and relevance of the inclusion of this case history, would need to allow an appropriate timescale to obtain legal advice and contextualise this in relation to the Maes Y Ffynnon development, existing situation and Welsh legislation. The date of the 17/01/2020 would not allow enough time for this process, of obtaining legal advice to happen.
- The Council has presented an argument in relation to the definition of usage of the Village Green in terms of 'by right' and 'as of right', which for us to prepare a response would require consultation with our legal advisors. This would not be possible by the 17/01/2020. (as per above point).
- The Council has asserted that there are separate departments dealing with this application, however, we need further legal advice around a conflict of interest in relation to this application and in particular why there has been extensive periods of time in this process.
- Information in the public domain around recent case study relating to applications to register an area of land as TVG with the Vale of Glamorgan Council, notably the field behind the Bear Hotel, refer to 'fairness and transparency' and the responsibility of the Council to uphold these principles. The response from the Council to our application to register the area in Maes Y Ffynnon, as a Village Green are conflicting with the practice of the Council in relation to this most recent precedent.
- If comparisons are made then the reference to fairness and transparency, in your objection needs to be consistent with other recent and local applications, to include the recommendation to take it to a public enquiry, which is openly accessible.
- As there is a potential for a conflict of interest for the Vale of Glamorgan Council in this case, we MYFRA and the Community Council should be afforded additional time to respond, to the statements, rational and legal position presented by the Vale of Glamorgan Council's response.
- The Council has afforded themselves significant time to research and draft a response to MYFRA and the local Community Council and therefore it is only fair to allow us the same timescales to respond to their objection.
- The objection also refers to an attempt to 'frustrate a planning application' for affordable housing in Maes Y Ffynnon. This stance is subjective and the planning proposal, is not referred to in the Village Green application and had not been submitted when we applied to register the Village Green.

- The proposed short timescale for responses, could also be viewed as an attempt by the Council to 'frustrate' the process of our appeal, to the Councils objection to the application to register the Village Green, at Maes Y Ffynnon.

Please be advised that this correspondence is not a final or conclusive response to the objections presented by the Council, but rationale to support an extension to the proposed deadline of the 17/01/2020, to allow MYFRA and the Community Council, a fair timescale in line with that which the Council themselves had, to present an accurate and legitimate response, that complies with a fair and transparent process operated by the land owner. This would also be consistent with the 'fair and transparent' approach afforded other organisations making applications to register land as TVG within the Vale of Glamorgan Council over recent years.

For and on Behalf of MYFRA

Sian Clarke

Chairperson

Docherty, James

From: Docherty, James
Sent: 24 December 2019 15:37
To: loumol@sky.com
Subject: RE: Town and Village Green Application - Maes y Ffynnon, Bonvilston
Switch-MessageId: f9b2ca157dab4426a86bac916aa406ac

Dear Sirs,

Thank you for your e-mail below and letter that was attached. This has now been passed on to the solicitor acting on behalf of the Council in its position as Landowner.

I must stress that I act for the Council in its capacity as Commons Registration Authority. I note your request that the date for providing a response be extended to 31st March 2020 but I consider that the period requested is too long. I suggest that an extension of 6 weeks until the 28th February 2020, to take account of the Christmas and New Year break should be sufficient.

Your letter has been passed on to the Solicitor acting for the Council as Landowner, and should I receive any comments/response from her in respect of the same I shall pass the same on to you as soon as possible.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
mob / sym:
e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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

From: loumol@sky.com <loumol@sky.com>
Sent: 20 December 2019 12:56
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Town and Village Green Application - Maes y Ffynnon, Bonvilston

Dear Sirs

We acknowledge receipt of your objection to register the Village Green and attach an initial request to extend the period proposed to allow appropriate consultation and time to draft a response.

Yours Sincerely

Maes Y Ffynnon Residents Association



Docherty, James

From: loumol@sky.com
Sent: 28 February 2020 18:05
To: Docherty, James
Subject: Response to Village Green Rejection at Maes Y Ffynnon
Attachments: Response to Rejection of the Village Green Application v1.3.docx

Dear James

As agreed, please find attached MYFRA's responses to the rejection of our Village Green application.

I look forward to hearing from you soon in relation to this matter.

Kind Regards

Sian Clarke

Maes Y Ffynnon Residents Association
c/o 21 Maes Y Ffynnon
Bonvilston,
CF5 6TT

Victoria Davidson
c/o James Docherty
The Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

23/02/2020

Dear Sirs

Village Green Application, Maes Y Ffynnon, Bonvilston - No: 1/2019/VG50

Further to your original correspondence on the 9th of December which provided the Maes Y Ffynnon Residents Association (MYFRA) and St Nicholas and Bonvilston Community Council, with your 'Notice of Objection' in relation to our application to protect the Village Green area, please find below our comments and responses:

- At no time has any resident of Maes Y Ffynnon, or Village Farm ever been required to seek permission to use the land for lawful sports and pastimes.
- The areas of land that flank the hardstands that used to hold the garages have provided the identified green space for this usage over the years.
- The Council has provided limited maintenance, or upkeep of this land and over the last 10 years this has only been the intermittent cutting of grass.
- We recognise and understand that the hard stands and road area, cannot be classed as a green space, but they sit inside of the area we wish to protect and our evidence proves that the areas either side have been used extensively and are central to village life in Bonvilston, since the 1950s.
- Your 'Notice of Objection', does not dispute the fact that the area has been used continuously by residents for over 50 years. It acknowledges the use but in referring us to the case history of Barkus, is asserting that we have used it 'by right' and not 'as of right'.
- As the Council acknowledges the usage of the land for these activities, it should concur and appreciate how important this area is to the residents of Maes Y Ffynnon and the wider population of Bonvilston.
- The use of this land either 'by right' or 'as of right' has been extensive and consistent since the 1950s and therefore has formed a significant part of Bonvilston's history and continues to unite the community.
- The fact that the Council is not disputing the usage of the land, by implication are accepting the importance of it providing an area for children to safely play, provide dog walking spaces, social events and lawful sports.

- In your 'Notice of Objection' you state that our motivation for protecting the area is to 'frustrate' a planning application for dwellings at Maes Y Fynnon. MYFRA refute this suggestion and feel the need to assert that our motive for protecting the area has been misrepresented, by this statement.
- As described in our application we are driven by the wish to maintain, a safe natural area where children can play and adults can socialise, at village events, or walking their dogs. Any development, or encroachment on the green area would be environmentally degrading and socially damaging to the community.
- Our wish is to preserve the much-threatened wildlife that is in abundance in the area. This includes ancient trees, Bats, the reptile population of snakes, toads and Greater Crested Newts, Tawny, Barn and Little Owls and every species of wild birds, such as Finches, Woodpeckers, Cuckoo's, and Tits.
- We understand that the Council has operated a 'Chinese wall' approach in relation to this application. Whilst we accept that this is a standard practice where another department is objecting to a village green application being dealt with by the same council, in its role as Registration Authority, it would also be standard to avoid a 'conflict of interest' and to ensure transparency to hold a non-statutory inquiry, which would address any issue of potential prejudice.
- In your 'Notice of Objection' you state that a public inquiry is not necessary for this application. We would therefore ask how the issue of potential prejudice has been addressed in the processing of this case, to ensure transparency and avoid a conflict of interest, particularly in light of any future plans the council may have for the land.
- We would like to highlight that recent planning applications and proposed developments in other parts of Bonvilston, incorporate as central features within their designs, green areas depicting children playing. The clear message being that a green space in a village like Bonvilston is central to the community. It is not logical, or in the interests of the community to leave a green space that has been used for over 50 years vulnerable, unappreciated or unrecognised, for its significant part in serving the community.
- Recent development plans in Bonvilston identify areas for potential green space in locations that are unsafe for children to play, due to the close proximity to traffic and the A48 main road. Maes y Ffynnon for over 50 years has provided a safe place for children to play and if protected could continue to do so in the future.

We understand that Welsh legislation in this area falls behind that in place in England and that this is not favourable in terms of our application. We do not wish in any way to antagonise the council in relation to the enclosed responses, following the rejection of our application and also aim to avoid any conflict. We request that the council takes time to listen to our concerns in a pragmatic and objective way, that is not purely focused on a legal approach around meeting eligibility criteria for registering a green space. As residents of MYFRA we ask the council to look beyond the criteria of how the land was originally purchased over 50 years ago, in a post war climate and consider how Maes Y Ffynnon, has subsequently evolved and understand how important the green is to the whole community.

In light of the above concerns and the evidence provided by MYFRA in the original application, we would request the following opportunity to engage with the council on this matter and appeal the decision made around the protection of this open space:

MYFRA formally requests the opportunity to discuss further with the Vale of Glamorgan Council an exploration of the options available around a voluntary registration of the village green under section 15 (8) of the Commons Act 2006.

Hopefully we can move forward and engage in some positive discussions and negotiations around the above proposal of voluntary registration of all, or part of the land described, taking into consideration our evidence and rationale.

We would be grateful if you could contact me, on behalf of MYFRA, by the 31st March 2020, with an indication of how the council plan to proceed regarding responses to our concerns and request for voluntary registration.

Yours Sincerely

Sian Clarke

On and Behalf of Maes Y Ffynnon Residents Association

Docherty, James

From: loumol@sky.com
Sent: 09 March 2020 21:06
To: Docherty, James
Subject: Re: Village Green at Maes Y Ffynnon Bonvilston

Dear James

Thank you for your correspondence dated the 2 March 2020.

You have now stated within your capacity as the CRA that our application (MYFRA) to register the area as a Village Green, has not been rejected. You have also stated that you intend to hold a public enquiry, which I assume is to ensure transparency and avoid any conflict of interest. I would like to note and highlight that this was never forthcoming, or clear in any of the previous correspondence sent to MYFRA. We (MYFRA) have not received any written correspondence relating to your position as the acting body and representative for the CRA and therefore this is the first official notification that we can accept in terms of the details regarding the application and enquiry to date, for the Village Green protection.

I apologise for the late submission of this response in terms of not meeting the 5.00 pm deadline, however, due to residents commitment and the timescale dictated by your last correspondence this was unachievable, under the circumstances.

I look forward to responses from the land owners and also your comments in capacity as the CRA.

Yours Sincerely

Sian Clarke

On Monday, 2 March 2020, 15:48:30 GMT, Docherty, James <jdocherty@valeofglamorgan.gov.uk> wrote:

Dear Sian,

Thank you for your e-mail below.

Below I raise some points in relation to clarification on your letter and next steps.

1. The Commons Registration Authority ("CRA") has not rejected your application.

As you point out the Council is both (i) the Landowner (and objector to the Application); and (ii) the CRA is responsible for assessing and determining the Application – for the purposes of this e-mail I am going to refer to the Council acting in its CRA capacity as the CRA and in respect of its capacity as the Landowner as the Landowner.



I am acting as solicitor to the CRA, my colleague Jos Ham is acting for the Landowner and as you note we are working with a "Chinese Wall" in respect of the matter. All correspondence you receive will be from me on behalf of the CRA. The CRA's role at this stage is to try to narrow the issues between the parties by allowing each party to comment on the representations given by the other. The objection that I forwarded to you is the Landowner's response to the application and does not represent any view of the CRA.

2. It is intended that there will be a non-statutory Inquiry.

As you note it is standard practice where the Council is both Landowner and CRA for a non-statutory inquiry to be held and for an independent Inspector to be appointed to hear the case from both the Applicant and any Objectors and to thereafter provide a report to the CRA with a recommendation as to whether to allow the Application or dismiss it. It has always been my intention as solicitor for the CRA to follow that process. Subject to point 3 below, I now intend to give the Landowner chance to respond to your response to their Objection following which I will assess whether there is any benefit to further correspondence or whether it is, at that stage, appropriate to proceed directly to arranging the Inquiry.

3. Re-issue of your letter

In light of the content of your letter, and noting that you were under the impression that the Application had been rejected, I am prepared to a further short extension of 1 week for you to confirm if there are any points which, now knowing that the application is still live, you would like to add to your response to the Landowner's objection. There are a number of points raised in your letter which do respond to the Landowner's objection and I will be forwarding a copy of the letter to the Landowner in order that they can start to consider the points raised and whether they wish to put forward any further response. It is also my intention to provide them with a copy of this e-mail in order that they are aware of the same and the fact that I have unilaterally agreed to provide you with an extra 7 days to consider any additions to your correspondence.

I would note that all correspondence between (i) the CRA and the Applicant and (ii) the CRA and the Landowner/Objector is usually required to be produced in full at the Inquiry.

In conclusion, I am allowing you a further 7 days from today to provide any additional response to the Landowner's objection which you may not have included in the response attached to the e-mail below due to the fact that you thought the Application had already been dismissed/refused. Please ensure that any additional response is with me no later than 5pm on Monday 9th March.

If you would like to discuss the content of this e-mail further please feel free to contact me on the number below.

Kind regards

James

James Docherty

Principal Lawyer / Uwch Gyfreithiwr

Resources / Adnoddau

Vale of Glamorgan Council / Cyngor Bro Morgannwg

tel / ffôn: 01446 709781

mob / sym:

e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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

From: Sian Clarke <sclarke@elitesea.co.uk>
Sent: 28 February 2020 18:06
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Village Green at Maes Y Ffynnon Bonvilston

Dear James

As agreed, please find attached MYFRA's responses to the rejection of our Village Green application.

I look forward to hearing from you soon in relation to this matter.

Kind Regards

Sian Clarke



Docherty, James

From: Docherty, James
Sent: 13 March 2020 14:40
To: loumol@sky.com
Subject: RE: Village Green at Maes Y Ffynnon Bonvilston

Switch-MessageId: 72426e5ce194452e995a8ae8b317f9f4

Dear Sian,

Thank you for your e-mail below. Apologies for the misunderstanding, I thought that we had been through this on the telephone.

I have given the Council until 9th April 2020 to make any further points in response to your latest correspondence.

Subject to any comments received by from the Council I shall then consider whether there is any benefit in further correspondence to narrow the issues further or whether to proceed to take steps to arrange for the Inquiry.

The process for establishing an Inquiry will require me to get authority from the relevant committee to appoint an Independent inspector to hear the Inquiry, this would usually be a qualified Barrister. Once an Inspector is appointed he or she will make directions for the Inquiry including proposed dates and tasks to be completed prior to the hearing (preparation of documents etc). I will then need to advertise the dates of the Inquiry in the local press. The Inquiry would usually run for between 1 and 5 days depending on the amount of evidence and number of witnesses to be called to give evidence, it may be worth considering at this point which of the people who have provided statements you would wish to give verbal evidence at an Inquiry as this may assist when we need to explore what dates may be possible to hold the Inquiry.

Following the hearing the Inspector will write a report with a recommendation as to whether the Application should be granted or refused.

I shall contact you further once I have received any further comments from the Council.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
mob / sym:
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From: loumol@sky.com <loumol@sky.com>
Sent: 09 March 2020 21:06
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Re: Village Green at Maes Y Ffynnon Bonvilston

Dear James

Thank you for your correspondence dated the 2 March 2020.

You have now stated within your capacity as the CRA that our application (MYFRA) to register the area as a Village Green, has not been rejected. You have also stated that you intend to hold a public enquiry, which I assume is to ensure transparency and avoid any conflict of interest. I would like to note and highlight that this was never forthcoming, or clear in any of the previous correspondence sent to MYFRA. We (MYFRA) have not received any written correspondence relating to your position as the acting body and representative for the CRA and therefore this is the first official notification that we can accept in terms of the details regarding the application and enquiry to date, for the Village Green protection.

I apologise for the late submission of this response in terms of not meeting the 5.00 pm deadline, however, due to residents commitment and the timescale dictated by your last correspondence this was unachievable, under the circumstances.

I look forward to responses from the land owners and also your comments in capacity as the CRA.

Yours Sincerely

Sian Clarke

On Monday, 2 March 2020, 15:48:30 GMT, Docherty, James <jdocherty@valeofglamorgan.gov.uk> wrote:

Dear Sian,

Thank you for your e-mail below.

Below I raise some points in relation to clarification on your letter and next steps.

1. The Commons Registration Authority ("CRA") has not rejected your application.

As you point out the Council is both (i) the Landowner (and objector to the Application); and (ii) the CRA is responsible for assessing and determining the Application – for the purposes of this e-mail I am going to refer to the Council acting in its CRA capacity as the CRA and in respect of its capacity as the Landowner as the Landowner.

I am acting as solicitor to the CRA, my colleague Jos Ham is acting for the Landowner and as you note we are working with a "Chinese Wall" in respect of the matter. All correspondence you receive will be from me on behalf of the CRA. The CRA's role at this stage is to try to narrow the issues between the parties by allowing each party to comment on the representations given by the other. The objection that I forwarded to you is the Landowner's response to the application and does not represent any view of the CRA.

2. It is intended that there will be a non-statutory Inquiry.

As you note it is standard practice where the Council is both Landowner and CRA for a non-statutory inquiry to be held and for an independent Inspector to be appointed to hear the case from both the Applicant and any Objectors and to thereafter provide a report to the CRA with a recommendation as to whether to allow the Application or dismiss it. It has always been my intention as solicitor for the CRA to follow that process. Subject to point 3 below, I now intend to give the Landowner chance to respond to your response to their Objection following which I will assess whether there is any benefit to further correspondence or whether it is, at that stage, appropriate to proceed directly to arranging the Inquiry.

3. Re-issue of your letter

In light of the content of your letter, and noting that you were under the impression that the Application had been rejected, I am prepared to a further short extension of 1 week for you to confirm if there are any points which, now knowing that the application is still live, you would like to add to your response to the Landowner's objection. There are a number of points raised in your letter which do respond to the Landowner's objection and I will be forwarding a copy of the letter to the Landowner in order that they can start to consider the points raised and whether they wish to put forward any further response. It is also my intention to provide them with a copy of this e-mail in order that they are aware of the same and the fact that I have unilaterally agreed to provide you with an extra 7 days to consider any additions to your correspondence.

I would note that all correspondence between (i) the CRA and the Applicant and (ii) the CRA and the Landowner/Objector is usually required to be produced in full at the Inquiry.

In conclusion, I am allowing you a further 7 days from today to provide any additional response to the Landowner's objection which you may not have included in the response attached to the e-mail below due to the fact that you thought the Application had already been dismissed/refused. Please ensure that any additional response is with me no later than 5pm on Monday 9th March.

If you would like to discuss the content of this e-mail further please feel free to contact me on the number below.

Kind regards

James

James Docherty

Principal Lawyer / Uwch Gyfreithiwr

Resources / Adnoddau

Vale of Glamorgan Council / Cyngor Bro Morgannwg

tel / ffôn: 01446 709781

mob / sym:

e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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From: Sian Clarke <sclarke@elitesea.co.uk>
Sent: 28 February 2020 18:06
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Village Green at Maes Y Ffynnon Bonvilston

Dear James

As agreed, please find attached MYFRA's responses to the rejection of our Village Green application.

I look forward to hearing from you soon in relation to this matter.

Kind Regards

Sian Clarke

Docherty, James

From: Docherty, James
Sent: 08 April 2020 17:45
To: loumol@sky.com
Subject: RE: Village Green at Maes Y Ffynnon Bonvilston

Switch-MessageId: 3d5c6628746a4d47acf33060c5d9cb42

Dear Sian,

Please find below the Landowner's solicitors latest response to me in respect of your previous correspondence. I would note as is pointed out in that response that it is the CRA's intention to hold a non-statutory public inquiry in respect of the application which I have confirmed previously has not been rejected. If you wish make any further representations in respect of any of the points raised by the Landowner's solicitor I would be grateful if you could do so by Friday 15th May 2020. In the event that you have no further comments to make please let me know and we can conclude this element of the process and move to the next stage which is arranging for the appointment of the inspector in order that we can subsequently arrange the Inquiry.

"From: Ham, Jocelyn <JHam@valeofglamorgan.gov.uk>

Sent: 08 April 2020 17:18

To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>; James Docherty <jdocherty.vogc@gmail.com>

Subject: Maes Y Ffynnon TVG Application

Dear James

With reference to the letter you have received from the Applicant in this matter, MYFRA and your email response of 02 March 2020.

I have flagged up a couple of the issues raised by the Applicant and would respond/comment (**in bold**) as follows:

- *At no time has any resident of Maes Y Ffynnon, or Village Farm ever been required to seek permission to use the land for lawful sports and pastimes.*

This is correct, the residents of Maes Y Ffynnon use the land with the consent of the Council i.e. by right. This means that an application to register land as new TVG must fail, in the Council as landowner's view.

- *The areas of land that flank the hardstands that used to hold the garages have provided the identified green space for this usage over the years.*

This is not disputed.

- *The Council has provided limited maintenance, or upkeep of this land and over the last 10 years this has only been the intermittent cutting of grass.*

The land belongs to and is maintained by the Council. The perceived frequency and standard of maintenance is not a relevant factor here.

- *We recognise and understand that the hard stands and road area, cannot be classed as a green space, but they sit inside of the area we wish to protect and our evidence proves that the areas either side have been used extensively and are central to village life in Bonvilston, since the 1950s.*

It is important to correctly identify the area of land that is to be subject to the TVG application and as stated in the 'Notice of Objection' the parts of the land covered by unadopted roadway/pathway and disused garages do not have the physical characteristics or purpose to be included in a TVG application. Further, the use of the former



disused garage site (including access to it and the car parking area) would have been with the Council's permission and the inclusion of these parts of the land are therefore also incompatible with a TVG application.

- *Your 'Notice of Objection', does not dispute the fact that the area has been used continuously by residents for over 50 years. It acknowledges the use but in referring us to the case history of Barkus, is asserting that we have used it 'by right' and not 'as of right'.*

This is correct. 'By right' means that the land has been used with the Council's permission whereas 'as of right' means it has been used without the Council's permission. 'As of right' is a critical part of the lexicological jigsaw in a TVG application and if permission to use land is essentially granted or allowed, then an application must fail.

- *As the Council acknowledges the usage of the land for these activities, it should concur and appreciate how important this area is to the residents of Maes Y Ffynnon and the wider population of Bonvilston.*

This comment is noted but as previously stated in the 'Notice of Objection', a significant part of the existing open space will be retained despite the proposed development.

- *The use of this land either 'by right' or 'as of right' has been extensive and consistent since the 1950s and therefore has formed a significant part of Bonvilston's history and continues to unite the community.*

The use of the land has been by right – see above. As the MYFRA are aware, the Council's predecessor authority acquired the land in the 1950s under powers given to it by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers. The land was subsequently appropriated to housing and developed as a housing estate with ancillary roads and open space areas in accordance with Cardiff Rural District Council's powers under these Acts.

As stated in the 'Notice of Objection' it is therefore proper to assume that Cardiff Rural District Council and now this Council as a statutory successor has held the developed land for housing and the other parts for recreational purpose and associated amenity areas connected with this housing. In other words, some of the land was specifically provided for amenity and recreation purpose and any subsequent use in this regard is with the Council's permission.

- *The fact that the Council is not disputing the usage of the land, by implication are accepting the importance of it providing an area for children to safely play, provide dog walking spaces, social events and lawful sports.*

It is not disputed that parts of the land subject to the TVG application has been provided for recreational purposes. However, use of the land for this purpose is with the Council's permission and the Council intends to continue to preserve and maintain a proportion of the land for this purpose as the new development will primarily focus on the former garage site and the area around this.

- *In your 'Notice of Objection' you state that our motivation for protecting the area is to 'frustrate' a planning application for dwellings at Maes Y Ffynnon. MYFRA refute this suggestion and feel the need to assert that our motive for protecting the area has been mis-represented, by this statement.*

The comment is duly noted but it is common for a TVG application to be made to restrict or even prevent development and as far as landowner is aware, this application was made once the garage area land had been identified for redevelopment and a public consultation event was held at Bonvilston Reading Rooms on the 4th February 2019, as part of a statutory pre-application consultation process.

- *As described in our application we are driven by the wish to maintain, a safe natural area where children can play and adults can socialise, at village events, or walking their dogs. Any development, or encroachment on the green area would be environmentally degrading and socially damaging to the community.*

The comment is duly noted but the intention of the landowner is to preserve some open space despite the development.

- *Our wish is to preserve the much-threatened wildlife that is in abundance in the area. This includes ancient trees, Bats, the reptile population of snakes, toads and Greater Crested Newts, Tawny, Barn and Little Owls and every species of wild birds, such as Finches, Woodpeckers, Cuckoo's, and Tits.*

The comment is duly noted but preservation of wildlife etc is not the objective of a TVG application. Most of the preservation and ecology issues will be considered as part of the planning process in any event.

- *We understand that the Council has operated a 'Chinese wall' approach in relation to this application. Whilst we accept that this is a standard practice where another department is objecting to a village green application being dealt with by the same council, in its role as Registration Authority, it would also be standard to avoid a 'conflict of interest' and to ensure transparency to hold a non-statutory inquiry, which would address any issue of potential prejudice.*

I believe this issue has been addressed by yourself in your email response to the Applicant dated 02 March 2020.

- *In your 'Notice of Objection' you state that a public inquiry is not necessary for this application. We would therefore ask how the issue of potential prejudice has been addressed in the processing of this case, to ensure transparency and avoid a conflict of interest, particularly in light of any future plans the council may have for the land.*

The 'Notice of Objection' came from myself on behalf of the Council as landowner. It is standard to say in a such a notice that no inquiry is needed if the landowner feels it has a strong case. However, the Council as landowner will still participate in an inquiry as appropriate and as required.

- *We would like to highlight that recent planning applications and proposed developments in other parts of Bonvilston, incorporate as central features within their designs, green areas depicting children playing. The clear message being that a green space in a village like Bonvilston is central to the community. It is not logical, or in the interests of the community to leave a green space that has been used for over 50 years vulnerable, unappreciated or unrecognised, for its significant part in serving the community.*

As stated above, the intention of the landowner is to preserve a proportion of the open space.

- *Recent development plans in Bonvilston identify areas for potential green space in locations that are unsafe for children to play, due to the close proximity to traffic and the A48 main road. Maes y Ffynnon for over 50 years has provided a safe place for children to play and if protected could continue to do so in the future.*

See above.

- *We understand that Welsh legislation in this area falls behind that in place in England and that this is not favourable in terms of our application. We do not wish in any way to antagonise the council in relation to the enclosed responses, following the rejection of our application and also aim to avoid any conflict. We request that the council takes time to listen to our concerns in a pragmatic and objective way, that is not purely focused on a legal approach around meeting eligibility criteria for registering a green space. As residents of MYFRA we ask the council to look beyond the criteria of how the land was originally purchased over 50 years ago, in a post war climate and consider how Maes Y Ffynnon, has subsequently evolved and understand how important the green is to the whole community.*

I understand the English legislation on TVG applications is more rigid than the Welsh which was introduced to circumvent the abuse of the TVG process to prevent development. Therefore, I am not sure why Welsh legislation is perceived to be less favourable to their application.

I believe you have addressed the issue of rejection of the application in your email response to the Applicant dated 02 March 2020.

- MYFRA formally requests the opportunity to discuss further with the Vale of Glamorgan Council an exploration of the options available around a voluntary registration of the village green under section 15 (8) of the Commons Act 2006.

Voluntary registration of all the land subject to the current TVG application is not an option.

Regards

Jocelyn

Jocelyn Ham
Senior Lawyer / Uwch Gyfreithiwr
Legal Services / Gwasanaethau Cyfreithiol
Vale of Glamorgan Council / Cyngor Bro Morgannwg

Given the current circumstances relating to the Covid-19 outbreak many of the Council's Committees are not sitting and public meetings are not being held. It may therefore be sometime before we are able to arrange for the appointment of the Inspector, unless we are able to use the emergency powers available to the Managing Director, which I will investigate.

If you have any further queries please do get in touch.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
mob / sym:
e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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Yours Sincerely

Sian Clarke

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3. Re-issue of your letter

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Kind regards

James

James Docherty

Principal Lawyer / Uwch Gyfreithiwr

Resources / Adnoddau

Vale of Glamorgan Council / Cyngor Bro Morgannwg

tel / ffôn: 01446 709781

mob / sym:

e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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From: Sian Clarke <sclarke@elitesea.co.uk>
Sent: 28 February 2020 18:06
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Village Green at Maes Y Ffynnon Bonvilston

Dear James

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I look forward to hearing form you soon in relation to this matter.

Kind Regards

Sian Clarke

Docherty, James

From: Docherty, James
Sent: 16 July 2020 17:00
To: 'loumol@sky.com'
Subject: RE: Village Green at Maes Y Ffynnon Bonvilston

Switch-MessageId: 12d2bb96956848f3b47e690e17f0272e

Dear Sian,

Further to my correspondence below and having not received a reply from you with any further response it is now my intention to obtain authority from the Council's Public Protection Licensing Committee to move to a public inquiry and the appointment of an independent inspector. Whilst the committees have been on hold in the Council due to the COVID 19 Pandemic they are now starting to operate again and I intend to take a report to the Committee meeting which is being proposed for the 30th July 2020.

Once the date of the Committee meeting is confirmed I shall confirm the same to you.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
mob / sym:
e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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Subject: RE: Village Green at Maes Y Ffynnon Bonvilston

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- *Our wish is to preserve the much-threatened wildlife that is in abundance in the area. This includes ancient trees, Bats, the reptile population of snakes, toads and Greater Crested Newts, Tawny, Barn and Little Owls and every species of wild birds, such as Finches, Woodpeckers, Cuckoo's, and Tits.*

The comment is duly noted but preservation of wildlife etc is not the objective of a TVG application. Most of the preservation and ecology issues will be considered as part of the planning process in any event.

- *We understand that the Council has operated a 'Chinese wall' approach in relation to this application. Whilst we accept that this is a standard practice where another department is objecting to a village green application being dealt with by the same council, in its role as Registration Authority, it would also be standard to avoid a 'conflict of interest' and to ensure transparency to hold a non-statutory inquiry, which would address any issue of potential prejudice.*

I believe this issue has been addressed by yourself in your email response to the Applicant dated 02 March 2020.

- *In your 'Notice of Objection' you state that a public inquiry is not necessary for this application. We would therefore ask how the issue of potential prejudice has been addressed in the processing of this case, to ensure transparency and avoid a conflict of interest, particularly in light of any future plans the council may have for the land.*

The 'Notice of Objection' came from myself on behalf of the Council as landowner. It is standard to say in a such a notice that no inquiry is needed if the landowner feels it has a strong case. However, the Council as landowner will still participate in an inquiry as appropriate and as required.

- *We would like to highlight that recent planning applications and proposed developments in other parts of Bonvilston, incorporate as central features within their designs, green areas depicting children playing. The clear message being that a green space in a village like Bonvilston is central to the community. It is not logical, or in the interests of the community to leave a green space that has been used for over 50 years vulnerable, unappreciated or unrecognised, for its significant part in serving the community.*

As stated above, the intention of the landowner is to preserve a proportion of the open space.

- *Recent development plans in Bonvilston identify areas for potential green space in locations that are unsafe for children to play, due to the close proximity to traffic and the A48 main road. Maes y Ffynnon for over 50 years has provided a safe place for children to play and if protected could continue to do so in the future.*

See above.

- *We understand that Welsh legislation in this area falls behind that in place in England and that this is not favourable in terms of our application. We do not wish in any way to antagonise the council in relation to the enclosed responses, following the rejection of our application and also aim to avoid any conflict. We request that the council takes time to listen to our concerns in a pragmatic and objective way, that is not purely focused on a legal approach around meeting eligibility criteria for registering a green space. As residents of MYFRA we ask the council to look beyond the criteria of how the land was originally purchased over 50 years ago, in a post war climate and consider how Maes Y Ffynnon, has subsequently evolved and understand how important the green is to the whole community.*

I understand the English legislation on TVG applications is more rigid than the Welsh which was introduced to circumvent the abuse of the TVG process to prevent development. Therefore, I am not sure why Welsh legislation is perceived to be less favourable to their application.

I believe you have addressed the issue of rejection of the application in your email response to the Applicant dated 02 March 2020.

- *MYFRA formally requests the opportunity to discuss further with the Vale of Glamorgan Council an exploration of the options available around a voluntary registration of the village green under section 15 (8) of the Commons Act 2006.*

Voluntary registration of all the land subject to the current TVG application is not an option.

Regards

Jocelyn

Jocelyn Ham
Senior Lawyer / Uwch Gyfreithiwr
Legal Services / Gwasanaethau Cyfreithiol
Vale of Glamorgan Council / Cyngor Bro Morgannwg

Given the current circumstances relating to the Covid-19 outbreak many of the Council's Committees are not sitting and public meetings are not being held. It may therefore be sometime before we are able to arrange for the

appointment of the Inspector, unless we are able to use the emergency powers available to the Managing Director, which I will investigate.

If you have any further queries please do get in touch.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
mob / sym:
e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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[Follow us on Twitter / Dilynwch ni ar Twitter](#)

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

From: loumol@sky.com <loumol@sky.com>
Sent: 09 March 2020 21:06
To: Docherty, James <jdocherty@valeofglamorgan.gov.uk>
Subject: Re: Village Green at Maes Y Ffynnon Bonvilston

Dear James

Thank you for your correspondence dated the 2 March 2020.

You have now stated within your capacity as the CRA that our application (MYFRA) to register the area as a Village Green, has not been rejected. You have also stated that you intend to hold a public enquiry, which I assume is to ensure transparency and avoid any conflict of interest. I would like to note and highlight that this was never forthcoming, or clear in any of the previous correspondence sent to MYFRA. We (MYFRA) have not received any written correspondence relating to your position as the acting body and representative for the CRA and therefore this is the first official notification that we can accept in terms of the details regarding the application and enquiry to date, for the Village Green protection.

I apologise for the late submission of this response in terms of not meeting the 5.00 pm deadline, however, due to residents commitment and the timescale dictated by your last correspondence this was unachievable, under the circumstances.

I look forward to responses from the land owners and also your comments in capacity as the CRA.

Yours Sincerely

Sian Clarke

On Monday, 2 March 2020, 15:48:30 GMT, Docherty, James <jdocherty@valeofglamorgan.gov.uk> wrote:

Dear Sian,

Thank you for your e-mail below.

Below I raise some points in relation to clarification on your letter and next steps.

1. The Commons Registration Authority ("CRA") has not rejected your application.

As you point out the Council is both (i) the Landowner (and objector to the Application); and (ii) the CRA is responsible for assessing and determining the Application – for the purposes of this e-mail I am going to refer to the Council acting in its CRA capacity as the CRA and in respect of its capacity as the Landowner as the Landowner.

I am acting as solicitor to the CRA, my colleague Jos Ham is acting for the Landowner and as you note we are working with a "Chinese Wall" in respect of the matter. All correspondence you receive will be from me on behalf of the CRA. The CRA's role at this stage is to try to narrow the issues between the parties by allowing each party to comment on the representations given by the other. The objection that I forwarded to you is the Landowner's response to the application and does not represent any view of the CRA.

2. It is intended that there will be a non-statutory Inquiry.

As you note it is standard practice where the Council is both Landowner and CRA for a non-statutory inquiry to be held and for an independent Inspector to be appointed to hear the case from both the Applicant and any Objectors and to thereafter provide a report to the CRA with a recommendation as to whether to allow the Application or dismiss it. It has always been my intention as solicitor for the CRA to follow that process. Subject to point 3 below, I now intend to give the Landowner chance to respond to your response to their Objection following which I will assess whether there is any benefit to further correspondence or whether it is, at that stage, appropriate to proceed directly to arranging the Inquiry.

3. Re-issue of your letter

In light of the content of your letter, and noting that you were under the impression that the Application had been rejected, I am prepared to a further short extension of 1 week for you to confirm if there are any points which, now knowing that the application is still live, you would like to add to your response to the Landowner's objection. There are a number of points raised in your letter which do respond to the Landowner's objection and I will be forwarding a copy of the letter to the Landowner in order that they can start to consider the points raised and whether they wish to

put forward any further response. It is also my intention to provide them with a copy of this e-mail in order that they are aware of the same and the fact that I have unilaterally agreed to provide you with an extra 7 days to consider any additions to your correspondence.

I would note that all correspondence between (i) the CRA and the Applicant and (ii) the CRA and the Landowner/Objector is usually required to be produced in full at the Inquiry.

In conclusion, I am allowing you a further 7 days from today to provide any additional response to the Landowner's objection which you may not have included in the response attached to the e-mail below due to the fact that you thought the Application had already been dismissed/refused. Please ensure that any additional response is with me no later than 5pm on Monday 9th March.

If you would like to discuss the content of this e-mail further please feel free to contact me on the number below.

Kind regards

James

James Docherty

Principal Lawyer / Uwch Gyfreithiwr

Resources / Adnoddau

Vale of Glamorgan Council / Cyngor Bro Morgannwg

tel / ffôn: 01446 709781

mob / sym:

e-mail / e-bost: jdocherty@valeofglamorgan.gov.uk

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Find us on Facebook / Cewch ddod o hyd i ni ar Facebook

APPENDIX 3

Date/Dyddiad 31 October 2019
Ask for/Gofynwch am Jocelyn Ham
Telephone/Rhif ffôn 01446 709406
Fax/Ffacs
e-mail/e-bost jham@valeofglamorgan.gov.uk
My Ref/Cyf JSH/C13-1249

The Vale of Glamorgan Council
Civic Offices, Holton Road, Barry CF63 4RU
Cyngor Bro Morgannwg
Swyddfeydd Dinesig, Heol Holton, Y Barri CF63 4RU
www.valeofglamorgan.gov.uk
www.bromorgannwg.gov.uk



James Docherty
Vale of Glamorgan Commons Registration Authority
Civic Offices
Holton Road
Barry
CF63 4RU

Dear James

Re: New village green application – Land at Maes Y Ffynnon Bonvilston

I am in the process of drafting the Council's notice of objection to the above-mentioned application and would request a short extension of time to submit this.

Please accept this letter as a holding response whilst I bring together the various elements of the Council's objection, which can be summarised as follows:

- The Council's development proposal only relates to part of the TVG application site. In other words, the part of the site earmarked for housing development is not the green/grassed open space area which I understand will be retained in any event. I am awaiting further details on this from the Housing Project Officer.
- The land that does comprise the open space area was specifically laid out by the Council's predecessor authority to provide an amenity space ancillary to the surrounding housing development pursuant to its statutory powers contained in section 79 of the Housing Act 1936. Accordingly, it necessarily follows that the use of the application land has been "by right" and not "as of right", which means that the criteria of application are not made.
- The application is an attempt to frustrate the Council's proposal to develop part of the site for social housing

I look forward to hearing from you but in any event will submit a more comprehensive response shortly.

Yours sincerely

A handwritten signature in blue ink that reads 'Jocelyn'.

Jocelyn S Ham
Senior Lawyer
Legal and Democratic Services



Date/Dyddiad * 04 December 2019
Ask for/Gofynwch am Jocelyn Ham
Telephone/Rhif ffôn 01446 709406
Fax/Ffacs
e-mail/e-bost jham@valeofglamorgan.gov.uk
My Ref/Cyf JSH/C13-1249

The Vale of Glamorgan Council
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Cyngor Bro Morgannwg
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www.bromorgannwg.gov.uk



James Docherty
Vale of Glamorgan Commons Registration Authority
Civic Offices
Holton Road
Barry
CF63 4RU

Dear James

Re: New village green application – Land at Maes Y Ffynnon Bonvilston

Further to previous correspondence in this matter, please now find enclosed the Council's notice of objection to the above-mentioned application.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J. S. Ham'.

Jocelyn S Ham
Senior Lawyer
Legal and Democratic Services

Enc.



COMMONS ACT 2006

APPLICATION UNDER SECTION 15 TO REGISTER LAND AS A TOWN OR VILLAGE GREEN

LAND AT MAES Y FFYNNON, BONVILSTON

NOTICE OF OBJECTION

Background/Introduction

1. The Vale of Glamorgan Council (**'the Council'**) (acting through the Environment and Housing Services Department – Housing Services Division) wishes to object to the application made to register land at Maes Y Ffynnon, Bonvilston (**'the Land'**) as town or village green (**'TVG'**). This objection is made by the Council in its capacity as landowner. The Council is separately represented in its capacity as town and village green registration authority for the county borough area under the Commons Act 2006. All references to the Council in this notice of objection refer to the Council in its capacity as landowner. References to 'Registration Authority' are references to the Council acting in that capacity.
2. As stated, the Council is the owner of the Land at Maes Y Ffynnon, Bonvilston. The Council's predecessor authority Cardiff Rural District Council acquired the Land by way of a conveyance dated 09 January 1956 (**'the 1956 Conveyance'**). The 1956 Conveyance states that the Land is purchased in exercise of the powers given to Cardiff Rural District Council by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers.
3. The Land was subsequently appropriated to housing and developed as a housing estate with ancillary roads and open space areas in accordance with Cardiff Rural District Council's powers under the Housing Act 1936.
4. The Land is registered in the name of the Council at Land Registry under title number CYM410667 where it is described as land at Maes Y Ffynnon, Bonvilston. The Land comprises a former garage site, roadway and grassed open space areas.

5. The application to register the Land as TVG was made on behalf of the residents of the Maes Y Ffynnon Residents Association together with St Nicholas and Bonvilston Community Council ('the Applicant') on the 23 May 2019 ('the Application'). The Registration Authority notified the Council of Application to register the Land as TVG on the 13 September 2019. The Registration Authority has provided the Council with a copy of the Application.
6. The Council has submitted a planning application to the Local Planning Authority for the development of 10 affordable housing units on a 0.3ha part of the Land to the north of the existing housing at Maes y Ffynnon. The proposed development lies within the settlement boundary of Bonvilston and is situated on land which can be considered a mix of previously developed land and open space. The loss of open space under the proposal is 0.18ha and therefore, a significant part of the existing open space will be retained despite the proposed development. It is believed that the Application is an attempt to frustrate this development.

Basis for Objection, Legal Framework and Application of Legal Framework

7. As stated above, the Council wishes to object to the Application and believes that the Application should be refused by the Registration Authority in its entirety and further, that no public inquiry should be necessary on the basis of the following.
8. Before addressing the Council's substantive objection, it should be noted that parts of the Land are intersected and covered by roadway, pathway and disused garages. Most of the roadway is adopted highway and therefore cannot be registered as TVG because use of this part by the public is by legal right.
9. Furthermore, any use that may not be considered lawful for highway purposes could not be reasonably discernible to a landowner so as to give rise to public usage sufficient for a TVG application. Consequently, such use would be incompatible with this part of the Land being TVG in any event.
10. In a similar vein, it is asserted by the Council that the parts of the Land covered by unadopted roadway/pathway and disused garages do not have the physical characteristics or purpose to be included in a TVG application. The use of the

former disused garage site (including access to it and the car parking area) would have been with the Council's permission and the inclusion of these parts of the Land are therefore incompatible with a TVG application also.

11. Moving onto the substantive legal objection to the Application.
12. The Application is made pursuant to section 15(1) of the Commons Act 2006 ('**the 2006 Act**') on the basis that section 15(2) of the 2006 Act applies. The relevant criteria to be established is therefore whether "*a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years; and they continue to do so at the time of the application*".
13. The burden of proving that the Land has become TVG lies with the Applicant. All the criteria required to establish that the Land has become TVG must be properly and strictly proved by the Applicant on the balance of probabilities. The case law for this is **Beresford** (although **Beresford** has been overruled by **Barkas** – see below - it was not done so on this particular point which remains good law.
14. The Council is not disputing the criteria that a 'significant number of inhabitants' have used parts of the Land for 'lawful sports and pastimes' for a period of 'at least 20 years' and 'continue to do so'. Instead this is relied upon in support of its objection to the Application.
15. The Council's objection to the Application is on the basis that the use of the Land for lawful sports and pastimes by local inhabitants has been 'by right' (i.e. in exercise of a legal right to do so) and not 'as of right' within the meaning of section 15(2) of the 2006 Act (i.e. without permission, force or secrecy).
16. Accordingly, the Council maintains that the statutory criteria under the 2006 Act has not been met or correctly asserted by the Applicant.
17. The legal framework in support of the Council's objection are the cases **R (Beresford) v Sunderland City Council (2004) 1 AC 889 ('Beresford')** and **Barkas v North Yorkshire County Council (2012) EWCA Civ 1373 ('Barkas')**

18. In Beresford, the House of Lords gave strong guidance - albeit *obiter* - that where user is pursuant to a legal right, it cannot be user 'as of right' as required under section 15(1) of the Commons Act 2006. Following this, and more recently, it was accepted in **Barkas** that Beresford is authority for the proposition that there is a distinction between use of land 'by right' and use of the land 'as of right'.
19. The Supreme Court's decision in **Barkas** is the leading case on 'by right' use. The Court held that recreational land provided and maintained by a local authority pursuant to section 12 of the Housing Act 1985 or its statutory predecessors was used by the public 'by right' and not 'as of right' within the meaning of section 15 of the 2006 Act. Therefore, if local inhabitants are indulging in lawful sports and pastimes on land 'by right' and not 'as of right' an application to register land as TVG will fail.
20. It further held that a recreation ground provided for public use by a local authority pursuant to any of its statutory powers would similarly be used by the public 'by right' and not 'as of right'. Where land is held by a local authority for the statutory purpose of recreation, and members of the public then use the land for that purpose, then they so use it pursuant to a statutory right to do so. They are accordingly not trespassers, which is a pre-requisite of land being used 'as of right'. A use 'by right' was instead found to be *precario*.
21. In applying the established legal principles derived from **Barkas** specifically to the Land and this Application, please note the following.
22. When the Land was acquired by Cardiff Rural District Council (a predecessor in title of the Council and itself a creature of statute) in 1956 it was by virtue of the 1956 Conveyance and as stated above, in exercise of the powers given to the Rural District Council by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers.
23. Following this, the Rural District Council developed the housing on this part of Maes Y Ffynnon and duly laid out road, open space and other facilities ancillary to the housing development on the Land.
24. It is apparent from the evidence contained in the Application itself that this was done and that since that time, it has been held and managed by the Council as housing land pursuant to the powers conferred on it (and its predecessor

authorities) by sections 79 and 80 of the Housing Act 1936 and in accordance with any subsequent housing legislation.

Conclusion

25. It is therefore proper to assume that the Council has been holding the Land for recreational purpose and associated amenity areas connected with the housing located at Maes Y Ffynnon and for the benefit of the residents. Therefore, any use of that part of the Land that is actually open space by the public for lawful sports and pastimes has been 'by right' and not 'as of right'.

26. It is furthermore proper to assume that the local inhabitants i.e. the residents of Maes Y Ffynnon, have had a statutory right to use the Land since it was acquired by the 1956 Conveyance and requirements of section 15(1) of the Commons Act 2006 in connection with the registration of the Land as TVG are therefore, not met and for the reasons stated in this notice, the Application must fail.

Further grounds

27. The Council reserves the right to add to and amplify these grounds for objection at a later stage if required.

Jocelyn Ham, solicitor on behalf of the Council

Date: 04 December 2019.

Docherty, James

From: Ham, Jocelyn
Sent: 08 April 2020 17:18
To: Docherty, James; James Docherty
Subject: Maes Y Ffynnon TVG Application

Dear James

With reference to the letter you have received from the Applicant in this matter, MYFRA and your email response of 02 March 2020.

I have flagged up a couple of the issues raised by the Applicant and would respond/comment (**in bold**) as follows:

- *At no time has any resident of Maes Y Ffynnon, or Village Farm ever been required to seek permission to use the land for lawful sports and pastimes.*

This is correct, the residents of Maes Y Ffynnon use the land with the consent of the Council i.e. by right. This means that an application to register land as new TVG must fail, in the Council as landowner's view.

- *The areas of land that flank the hardstands that used to hold the garages have provided the identified green space for this usage over the years.*

This is not disputed.

- *The Council has provided limited maintenance, or upkeep of this land and over the last 10 years this has only been the intermittent cutting of grass.*

The land belongs to and is maintained by the Council. The perceived frequency and standard of maintenance is not a relevant factor here.

- *We recognise and understand that the hard stands and road area, cannot be classed as a green space, but they sit inside of the area we wish to protect and our evidence proves that the areas either side have been used extensively and are central to village life in Bonvilston, since the 1950s.*

It is important to correctly identify the area of land that is to be subject to the TVG application and as stated in the 'Notice of Objection' the parts of the land covered by unadopted roadway/pathway and disused garages do not have the physical characteristics or purpose to be included in a TVG application. Further, the use of the former disused garage site (including access to it and the car parking area) would have been with the Council's permission and the inclusion of these parts of the land are therefore also incompatible with a TVG application.

- *Your 'Notice of Objection', does not dispute the fact that the area has been used continuously by residents for over 50 years. It acknowledges the use but in referring us to the case history of Barkus, is asserting that we have used it 'by right' and not 'as of right'.*

This is correct. 'By right' means that the land has been used with the Council's permission whereas 'as of right' means it has been used without the Council's permission. 'As of right' is a critical part of the lexicological jigsaw in a TVG application and if permission to use land is essentially granted or allowed, then an application must fail.

- *As the Council acknowledges the usage of the land for these activities, it should concur and appreciate how important this area is to the residents of Maes Y Ffynnon and the wider population of Bonvilston.*

This comment is noted but as previously stated in the 'Notice of Objection', a significant part of the existing open space will be retained despite the proposed development.

- *The use of this land either 'by right' or 'as of right' has been extensive and consistent since the 1950s and therefore has formed a significant part of Bonvilston's history and continues to unite the community.*

The use of the land has been by right – see above. As the MYFRA are aware, the Council's predecessor authority acquired the land in the 1950s under powers given to it by the Local Government Act 1933, the Housing Act 1936 and other unspecified powers. The land was subsequently appropriated to housing and developed as a housing estate with ancillary roads and open space areas in accordance with Cardiff Rural District Council's powers under these Acts.

As stated in the 'Notice of Objection' it is therefore proper to assume that Cardiff Rural District Council and now this Council as a statutory successor has held the developed land for housing and the other parts for recreational purpose and associated amenity areas connected with this housing. In other words, some of the land was specifically provided for amenity and recreation purpose and any subsequent use in this regard is with the Council's permission.

- *The fact that the Council is not disputing the usage of the land, by implication are accepting the importance of it providing an area for children to safely play, provide dog walking spaces, social events and lawful sports.*

It is not disputed that parts of the land subject to the TVG application has been provided for recreational purposes. However, use of the land for this purpose is with the Council's permission and the Council intends to continue to preserve and maintain a proportion of the land for this purpose as the new development will primarily focus on the former garage site and the area around this.

- *In your 'Notice of Objection' you state that our motivation for protecting the area is to 'frustrate' a planning application for dwellings at Maes Y Fynnon. MYFRA refute this suggestion and feel the need to assert that our motive for protecting the area has been mis-represented, by this statement.*

The comment is duly noted but it is common for a TVG application to be made to restrict or even prevent development and as far as landowner is aware, this application was made once the garage area land had been identified for redevelopment and a public consultation event was held at Bonvilston Reading Rooms on the 4th February 2019, as part of a statutory pre-application consultation process.

- *As described in our application we are driven by the wish to maintain, a safe natural area where children can play and adults can socialise, at village events, or walking their dogs. Any development, or encroachment on the green area would be environmentally degrading and socially damaging to the community.*

The comment is duly noted but the intention of the landowner is to preserve some open space despite the development.

- *Our wish is to preserve the much-threatened wildlife that is in abundance in the area. This includes ancient trees, Bats, the reptile population of snakes, toads and Greater Crested Newts, Tawny, Barn and Little Owls and every species of wild birds, such as Finches, Woodpeckers, Cuckoo's, and Tits.*

The comment is duly noted but preservation of wildlife etc is not the objective of a TVG application. Most of the preservation and ecology issues will be considered as part of the planning process in any event.

- *We understand that the Council has operated a 'Chinese wall' approach in relation to this application. Whilst we accept that this is a standard practice where another department is objecting to a village green application being dealt with by the same council, in its role as Registration Authority, it would also be standard to avoid a 'conflict of interest' and to ensure transparency to hold a non-statutory inquiry, which would address any issue of potential prejudice.*

I believe this issue has been addressed by yourself in your email response to the Applicant dated 02 March 2020.

- *In your 'Notice of Objection' you state that a public inquiry is not necessary for this application. We would therefore ask how the issue of potential prejudice has been addressed in the processing of this case, to ensure*

transparency and avoid a conflict of interest, particularly in light of any future plans the council may have for the land.

The 'Notice of Objection' came from myself on behalf of the Council as landowner. It is standard to say in a such a notice that no inquiry is needed if the landowner feels it has a strong case. However, the Council as landowner will still participate in an inquiry as appropriate and as required.

- *We would like to highlight that recent planning applications and proposed developments in other parts of Bonvilston, incorporate as central features within their designs, green areas depicting children playing. The clear message being that a green space in a village like Bonvilston is central to the community. It is not logical, or in the interests of the community to leave a green space that has been used for over 50 years vulnerable, unappreciated or unrecognised, for its significant part in serving the community.*

As stated above, the intention of the landowner is to preserve a proportion of the open space.

- *Recent development plans in Bonvilston identify areas for potential green space in locations that are unsafe for children to play, due to the close proximity to traffic and the A48 main road. Maes y Ffynnon for over 50 years has provided a safe place for children to play and if protected could continue to do so in the future.*

See above.

- *We understand that Welsh legislation in this area falls behind that in place in England and that this is not favourable in terms of our application. We do not wish in any way to antagonise the council in relation to the enclosed responses, following the rejection of our application and also aim to avoid any conflict. We request that the council takes time to listen to our concerns in a pragmatic and objective way, that is not purely focused on a legal approach around meeting eligibility criteria for registering a green space. As residents of MYFRA we ask the council to look beyond the criteria of how the land was originally purchased over 50 years ago, in a post war climate and consider how Maes Y Ffynnon, has subsequently evolved and understand how important the green is to the whole community.*

I understand the English legislation on TVG applications is more rigid than the Welsh which was introduced to circumvent the abuse of the TVG process to prevent development. Therefore, I am not sure why Welsh legislation is perceived to be less favourable to their application.

I believe you have addressed the issue of rejection of the application in your email response to the Applicant dated 02 March 2020.

- *MYFRA formally requests the opportunity to discuss further with the Vale of Glamorgan Council an exploration of the options available around a voluntary registration of the village green under section 15 (8) of the Commons Act 2006.*

Voluntary registration of all the land subject to the current TVG application is not an option.

Regards

Jocelyn

Jocelyn Ham
Senior Lawyer / Uwch Gyfreithiwr
Legal Services / Gwasanaethau Cyfreithiol
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Follow us on Twitter / Dilynwch ni ar Twitter

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

Docherty, James

From: Docherty, James
Sent: 16 July 2020 17:02
To: Ham, Jocelyn
Subject: Maes Y Ffynnon Town and Village Green Application

Switch-MessageId: d0cf3776cc814e08a09702e03456d20e

Dear Jos,

I write further to previous correspondence on this matter and advise that I have not received any further comments from the applicant in respect of the Council's previous response.

It is now my intention to obtain authority from the Council's Public Protection Licensing Committee to move to a public inquiry and the appointment of an independent inspector. Whilst the committees have been on hold in the Council due to the COVID 19 Pandemic they are now starting to operate again and I intend to take a report to the Committee meeting which is being proposed for the 30th July 2020.

Once the date of the Committee meeting is confirmed I shall confirm the same to you.

Kind regards

James

James Docherty
Principal Lawyer / Uwch Gyfreithiwr
Resources / Adnoddau
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 709781
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Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

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

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

APPENDIX 4

DEDDF TIROEDD COMIN 2006 - ADRAN 15(1)

Hysbysiad o gais ar gyfer cofrestru tir fel Clwt Tref neu Bentref

I bob perchennog, prydleswr, tenant neu breswylwr honedig unrhyw ran o'r tir a ddisgrifir isod, a phwy bynnag arall a fynno wybod.

Mae cais wedi'i gyflwyno i Gyngor Bro Morgannwg gan Cymdeithas Trigolion Maes Y Ffynon a cyngor cymunedol St Nicholas gyda Bonvilston Community Council o dan adran 15(1) Deddf Tiroedd Comin 2006, ac yn unol â Rheoliadau Tiroedd Comin (Cofrestru Clytiau Tref neu Bentref) (Trefniadau Dros Dro) (Cymru) 2007 ("Rheoliadau 2007").

Mae'r cais yn gofyn am gynnwys y tir a ddisgrifir yn yr Atodlen isod, yng nghofrestru clytiau pentrefi a threfi'r Awdurdod. Honnir bod y tir yn addas i'w gofrestru yn y modd yma am iddo gael ei ddefnyddio ar gyfer chwaraeon ac adloniant cyfreithlon am fwy nag 20 mlynedd cyn dyddiad y cais dan sylw.

Mae modd archwilio'r cais, sy'n cynnwys cynllun o'r tir a gynigiwyd ar gyfer ei gofrestru, drwy drefnu ymweliad â Swyddfeydd Dinesig Bro Morgannwg, Heol Holton, Y Barri, CF63 4RU rhwng 9.00 y bore a 4:30 y prynhawn o ddydd Llun hyd ddydd Gwener (ac eithrio ar ŵyl y banc). (Ffoniwch Victoria Davidson Rheolwr Gweithredol - Gwasanaethau Cyfreithiol ar 01446 709407)

Os bydd yr awdurdod cofrestru'n fodlon bod y tir a ddisgrifir isod yn addas i'w gofrestru fel clwt tref neu bentref, bydd yn mynd ati i wneud hynny.

Dylai unrhyw un sydd am wrthwynebu'r cais ar gyfer cofrestru'r tir fel clwt tref neu bentref, anfon datganiad i Awdurdod Cofrestru Bro Morgannwg, Swyddfeydd Dinesig, Heol Holton, Y Barri, Bro CF63 4RU, gan nodi ei resymau dros ei wrthwynebu. Dylai anfon y datganiad un ai cyn 1 Tachwedd 2019 neu ar y diwrnod hwnnw, a'i gyfeirio at Victoria Davidson - Rheolwr Gweithredol - Gwasanaethau Cyfreithiol. Ni fydd unrhyw ddatganiad sy'n cael ei ystyried gan yr awdurdod wrth benderfynu ar y cais, yn cael ei drin fel gwybodaeth gyfrinachol. Bydd copi ohono'n cael ei anfon at yr ymgeisydd ac y mae'n bosibl y caiff ei ddatgelu i rat eraill sy'n ymwneud â'r mater.

Dyddiedig 13 Medi 2019

Pennaeth Gwasanaethau Cyfreithiol
(ar gyfer yr awdurdod cofrestru)

Atodlen

Disgrifiad o'r tir yr honnir ei fod yn gymwys ar gyfer ei gofrestru fel clwt tref neu bentref:

Clwt o dir a adwaenir fel wedi'i leoli ym mhen gogleddol Maes Y Ffynon, Bonvilston, Bro Morgannwg

COMMONS ACT 2006 - SECTION 15(1)

Notice of an application for the registration of land as a Town or Village Green

To: Every reputed owner, lessee, tenant or occupier of any part of the land described below, and to all others whom it may concern.

Application has been made to the Vale of Glamorgan Council by Maes Y Ffynon Residents Association and St Nicholas with Bonvilston Community Council under section 15(1) of the Commons Act 2006 and in accordance with the Commons (Registration of Town or Village Greens) (Interim Arrangements) (Wales) Regulations 2007 ("the 2007 Regulations").

The application seeks the inclusion in the register of town and village greens of the land described in the Schedule below which is claimed to have qualified for registration as a town or village green by virtue of the use of the area for lawful sports and pastimes as of right for more than 20 years prior to the date of the application.

The application, which includes a plan of the land proposed for registration may be inspected by appointment at the Vale of Glamorgan Civic Offices, Holton Road, Barry, CF63 4RU between the hours of 09.00 and 16:30 Mondays to Fridays (except public holidays) (Contact: Victoria Davidson, Legal Services Department Tel. 01446 709407)

If the registration authority is satisfied that the land described below qualifies for registration as a town or village green, it will so register the land.

Any person wishing to object to the registration of the land as a town or village green should send a statement of the facts on which the objection is based to the Vale of Glamorgan Registration Authority, Civic Offices, Holton Road, Barry, Vale of Glamorgan CF63 4RU (for the attention of: Victoria Davidson - Legal Services Department) on or before 1 November 2019. Any statements that are to be taken into account by the authority in reaching a decision on the application cannot be treated as confidential and will be copied to the applicant for comment and may be disclosed to other interested parties.

Dated 13 September 2019

Head of Legal and Democratic Services
on behalf of registration authority

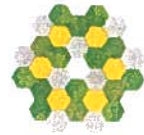
Schedule

Description of the land claimed to have qualified for registration as a town or village green:

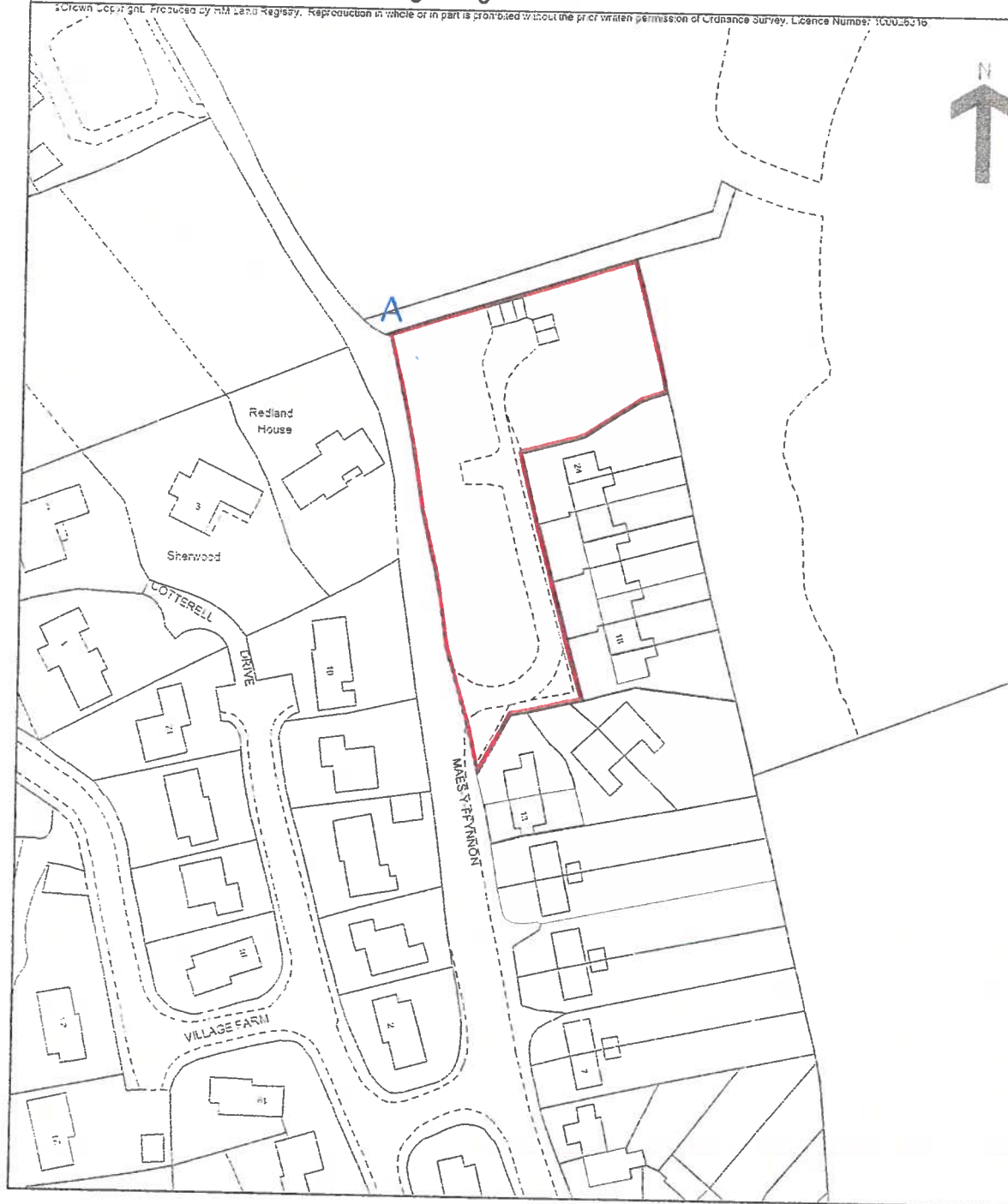
A parcel of land known as Maes Y Ffynon Village Green located at the North end of Maes Y Ffynon, Bonvilston in the Vale of Glamorgan

HM Land Registry
Current title plan

Title number CYM410667
Ordnance Survey map reference ST0674SE
Scale 1:1250 enlarged from 1:2500
Administrative area The Vale of Glamorgan / Bro
Morgannwg



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RECEIVED
24 APR 2019
Regeneration
and Planning

This copy of the title plan is incomplete without the preceding notes page.

Mae'r copi hwn o'r cynllun teitl yn anghyflawn heb y dudalen flaenorol o nodiadau.



Pizzas and paperbacks give help for local group

THE Yard is making use of its new location on the High Street to cement its place in the community.

With the support of Paul Langford and his family, the pizzeria will be hosting a book sale on Saturday, October 5 from 11am until 2pm to raise funds for the Memory Jar.

The Memory Jar, now in its third year, continues to provide a warm welcome for those living with dementia, and their carers. It meets on the first and third Tuesday of each month at 2pm in the Maendy Room of Cowbridge

United Free Church. Members of the Memory Jar have recently been putting a great deal of effort into fund-raising in order to acquire a special interactive projector. This will add a whole new dimension to the varied activities already enjoyed by all who attend, providing the stimulus for a wide range of cognitive, physical, emotional and social experiences.

At all sessions of the Memory Jar there is a lot of laughter, and the new projector will help to ensure this sense of enjoyment and fun continues.

Old girls' school on 'endangered' list



THE Old Girls' School in Cowbridge has been named by the Victorian Society in its Top 10 Most Endangered Buildings list for 2019.

It is the only building in Wales to make it on to the list, which highlights at-risk Victorian and Edwardian properties throughout England and Wales. Victorian Society Director Christopher Costelloe said: "Cowbridge School is a beautifully crafted building, solid, handsome and capable of being reused. Its thoughtless demolition would be a huge blow to the town." Opened in September 1896, the school was the first to be built for the intermediate education of girls in the UK - a pivotal moment in Welsh and British history. A spokesman from the group campaigning to save the school from demolition, said: "This building is of enormous importance, not only to the community but nationally too, and is a part of Welsh history we should be proud to have standing in our town. It's inclusion on the list has brought this stunning building into the spotlight and it is fantastic to finally see it getting the recognition it deserves. We hope that this will be a significant boost to our campaign to save the school from demolition."

Ineos comes to Bridgend

Continued from Page 1.

...was keen to enter the car market for the first time with an ambitious project building a Sports Utility Vehicle (SUV).

The market for a capable, lightweight SUV is robust, as sales of the hugely successful Suzuki Jimmy have proved, with an insatiable appetite for the vehicles left unstaked since the discontinuation of the Land Rover Defender series on January 29, 2016.

Sir Jim unsuccessfully attempted to buy the original Defender designs from Land Rover and has openly spoken of his disappointment that there was not a British-built vehicle of this type. Putting his money where his mouth is shows a brave move from the Brexitier. By leaning heavily on MBTech (formerly a Mercedes division) and BMW's power plant, the experienced engineering work and design bodes well for a reliable platform using proven technology.

Expectation is that a final announcement is to be made imminently from both Welsh Government and INEOS, Sir Jim's company about the production site. Competition has been fierce to secure investment for Bridgend, with multiple sites becoming available at the

same time, Swindon's Honda factory was also carefully considered for Projekt Grenadier, the name given to what has been hailed as the 'spiritual successor' to the Defender.

With Land Rover itself showcasing semi-official peeks of the new Defender racing up the hill at the Goodwood's Festival of Speed and a few pictures of the new model emerging on Twitter for the latest Bond film, having a home grown SUV may be closer to the original design, which legend has it was first drawn in the sand at Red Wharf Bay in Anglesey, Wales in 1947 by brothers Maurice and Spencer Wilks who wanted a rugged, no-nonsense four wheel drive vehicle that could withstand the demands of off road driving.

Hayley Pells

Commenting on the announcement, Suzy Davies, Welsh Conservative AM for South Wales West, said: "This news is extremely welcome for Bridgend and the surrounding areas as there has been talk of INEOS being interested in MP, Alun Cairns said: "It has been reported that initially INEOS will provide a welcome boost to our automotive sector and to this part

of Wales, including the Vale of Glamorgan, creating important jobs which will contribute to a strengthened economy. There is a real opportunity for people in the Vale to take advantage of the new employment opportunities. It is also a clear demonstration of confidence in the UK economy.

"We've been working closely with the company to bring this investment to Wales and are supporting the industry via our Industrial Strategy and Automotive Sector Deal, setting out our vision of how government and industry can work together to solve some of the greatest challenges affecting this sector.

"There have been some significant automotive investments to Wales over the last few years, including at Aston Martin in St Athan and together with the Welsh Government we will continue to provide incentives for firms like INEOS to make Wales their home. This is positive for our local economy and I am confident that it will help to demonstrate the investment opportunities on our doorstep."

The GEM contacted INEOS Automotive spokesperson declined to do so at this time.

Taylor Wimpey Section 106

SHARP-EYED readers may have noticed last week that a few words went missing from a report on the section 106 money that Taylor Wimpey will be making available to the Vale Council.

Fortunately, reference was made elsewhere to the sum of money (£4,131,000) that will be spent on education in the Cowbridge area.

However, it is only right that The GEM should include the entire missing section. The "lost words" are in italics. "Over £950,000 will go towards the Sustainable Transport

Contribution and over £4,131,000 will be given to local schools to boost education facilities. A contribution of £200,000 will also be made to enhance community facilities and 40 per cent of homes will be allocated to affordable housing."

A recently-announced expansion of St David's Church-in-Wales Primary School in Colwinston may have played a part in local speculation that a new primary school, which was included in plans for Clare Garden Village, may not now be built."

The GEM apologises for any confusion caused by the omission.

What's on in and around your area

Stroke support group

THE Vale Stroke Support group, set up by Llantwit Major and Cowbridge Lions Club, celebrates its second anniversary this month.

The group is for anyone who has had a stroke or is affected by someone who has had a stroke.

Meetings are held on the third Tuesday of each month between 2pm-4pm at Llantionian Hall, Llantwit Major with talks and activities. The get-togethers provide

an opportunity to chat with others experiencing similar issues. There are music, craft sessions and guest speakers, all accompanied by tea and cake, and occasional day trips are arranged.

National Trust supporters

ON October 16, Brian Davies will speak on 'John Nixon and the Welsh Coal Trade to France'. Meetings are at 7.30pm in the Baronial Hall at the rear of the Duke of Wellington, Cowbridge. Guests and new members are welcome.

DEDDF TIROEDD COMIN 2006 - ADRAN 15(1)

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Mae'r cais yn gofyn am gynnwys y tir a ddisgrifir yn yr Atodlen isod, yng nghofrestr chytiau pentref a threfi'r Awurdod. Honnir bod y tir yn addas i'w gofrestru yn y modd yma am iddo gael ei ddefnyddio ar gyfer chwaraeon ac adnoddion cyfreithlon am lwy nag 20 mlynedd cyn dyddiad y cais dan sylw.

Mae'r modd archwilio'r cais, sy'n cynnwys cynllun o'r tir a gynnigwyd ar gyfer ei gofrestru, drwy drefnu ymweliad â Swyddleddy Dinesig Bro Morgannwg, Heol Holton, Y Barr, CF63 4RU rhwng 9.00 y bore a 4.30 y prynhawn o ddydd Lun hyd ddydd Gwener (ac eithrio ar wyl y banc). (Ffôn: Victoria Davidson Rheolwr Gweithredol - Gwasanaethau Cyfreithlon ar 01446 709407)

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Dyddiedig 13 Medi 2019

M. Males

Pennaeth Gwasanaethau Cyfreithlon (ar gyfer yr awurdod cofrestru)

Atodlen

Disgrifiad o'r tir yr honnir ei fod yn gynnwys ar gyfer ei gofrestru fel cwt tref neu bentrif:

Cwt o dir a adwaenir fel wedi'i leoli ym mhen gogleddol Maes Y Ffynnon, Bonvillion, Bro Morgannwg

COMMONS ACT 2006 - SECTION 15(1)

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Dated 13 September 2019

M. Males

Head of Legal and Democratic Services on behalf of registration authority

Schedule

Description of the land claimed to have qualified for registration as a town or village green:

A parcel of land known as Maes Y Ffynnon Village Green located at the North end of Maes Y Ffynnon, Bonvillion in the Vale of Glamorgan

pa peter alan

cowbridge@peteralan.co.uk

Online... On the High Street... On Your Side...

pa black

01446 772857

Contact us to arrange a free, no obligation market appraisal of your home