

## PLANNING COMMITTEE

Decision Notice – Meeting, 27<sup>th</sup> October, 2021.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor J.C. Bird (Chair); Councillor B.T. Gray (Vice-Chair);  
Councillors: J. Aviet, R.M. Birch, C.A. Cave, P. Drake, V.P. Driscoll, S.T. Edwards,  
N.P. Hodges, Dr. I.J. Johnson, G.C. Kemp, A.C. Parker, L.O. Rowlands,  
N.C. Thomas, E. Williams, M.R. Wilson and M. Wright.

Also present: Councillor K.F. McCaffer (Cabinet Member for Leisure, Arts and Culture).

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
D. Knevett	2021/00363/FUL - Belle Vue Pavilion, Penarth	The applicant or their representative
M. Hodgkinson	2021/00363/FUL - Belle Vue Pavilion, Penarth	The applicant or their representative
A. Carter	2021/00508/FUL - Windward Terminal, Atlantic Way, Barry Docks, Barry	The applicant or their representative
D. Hall	2021/00524/HAZ - Windward Terminal, Atlantic Way, Barry Docks, Barry	The applicant or their representative
J. Davies	2021/01089/FUL - 11 Clinton Road, Penarth	Objector to the application or their representative

Councillor McCaffer spoke on application 2021/00363/FUL – Belle Vue Pavilion, Penarth in her capacity as Vale of Glamorgan Council Cabinet Member for Leisure, Arts and Culture and on application 2021/01089/FUL – 11 Clinton Road, Penarth in her capacity as the Vale of Glamorgan Member for the Plymouth Ward.

### AGENDA ITEM 2. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 29<sup>th</sup> September, 2021 be approved as a correct record.

### AGENDA ITEM 3. DECLARATION OF INTEREST –

No declarations were received.

AGENDA ITEM 4. BARRY BIOMASS INDEPENDENT REVIEW REPORT (REF) –

RESOLVED – T H A T the contents of the report be noted.

Reason for decision

Following consideration of the Barry Biomass Independent Review Report.

AGENDA ITEM 5. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED –

- (1) T H A T the passed building regulation applications as listed in Section A of the report be noted.
- (2) T H A T the rejected building applications as listed in Section B of the report be noted.
- (3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section C of the report, be noted.
- (4) T H A T the implementation of Section 32 of the Building Act 1984 be implemented and the serving of Notices as listed in Section E of the report be noted.

AGENDA ITEM 6. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED – T H A T the applications as outlined within the report, on pages 11 through 29, under the above delegated powers be noted.

AGENDA ITEM 7. APPEALS (HRP) –

RESOLVED –

- (1) T H A T it be noted that no Appeals had been received at the time of the meeting taking place.
- (2) T H A T it be noted that no Enforcement Appeals had been received at the time of the meeting taking place.
- (3) T H A T the Planning Appeal decision as detailed in Section C of the report be noted.
- (4) T H A T it be noted that no Enforcement Appeals Decisions had been received at the time of the meeting taking place.

(5) T H A T the statistics relating to appeals for the period April 2021 – March 2022 as detailed in Section E of the report be noted.

AGENDA ITEM 8. TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report, on pages 36 and 37, as determined by the Head of Regeneration and Planning under delegated powers be noted.

(ii) To Confirm Tree Preservation Order No. 3, 2021 for Trees at Ewenny Priory, Abbey Road, Ewenny –

RESOLVED – T H A T the Tree Preservation Order relating to land at Tingle Road, Ewenny be confirmed.

Reason for decision

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

AGENDA ITEM NO. 9 PLANNING APPLICATIONS (HRP) –

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following applications be determined as indicated and any other necessary action be taken.

**2021/00363/RG3**

**Belle Vue Pavilion, Albert Crescent, Penarth**

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

**2021/00364/CAC**

**Belle Vue Pavilion, Albert Crescent, Penarth**

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

**2021/00508/FUL**

**Windward Terminal, Atlantic Way, Barry Docks, Barry**

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

**2021/00524/HAZ**

**Windward Terminal, Atlantic Way, Barry Docks, Barry**

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

**2021/00909/FUL**

**Ty J, The Verlands, Cowbridge**

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

**2021/00958/FUL**

**Tower Hill Residential Home, 54, Plymouth Road, Penarth**

RESOLVED –

- (1) T H A T the application for the retention of the visitor pod / office be refused.
- (2) T H A T the Head of Legal and Democratic Services be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:
  - (i) the removal of the visitor pod / office from the site.
- (3) T H A T in the event of non-compliance with the Notice, authorisation be granted to take such legal proceedings as may be required.

### Reason for decisions

By virtue of its siting, design, scale, form and materials the building represents a highly discordant and prominent feature within the street scene that fails to preserve or enhance the character and appearance of the Penarth Conservation Area. The development is therefore contrary to the aims of Policies MD2 (Design of New Development), MD5 (Development within Settlement Boundaries) and MD8 (Historic Environment) of the Vale of Glamorgan Local Development Plan 2011-2026, the advice within the Council's Supplementary Planning Guidance Penarth Conservation Area Appraisal and Management Plan, Planning Policy Wales Edition 11 (2021) Technical Advice Notes 12 – Design and 24 – Historic Environment and the provisions of Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

### **2021/01089/FUL**

### **11, Clinton Road, Penarth**

APPROVED – Subject to the conditions as contained within the report.

### Reason for decision

Having regard to the content of the report and discussions at the meeting.