

PLANNING COMMITTEE

Minutes of a Remote meeting held on 8th June, 2022.

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

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

Present: Councillor N.C. Thomas (Chair); Councillor S.D. Perkes (Vice-Chair); Councillors R.M. Birch, G. Bruce, C.A. Cave, C.E.A. Champion, C.M. Cowpe, P. Drake, A.M. Ernest, W. Gilligan, N.P. Hodges, Dr I.J. Johnson, H.M. Payne, I.A.N. Perry, C. Stallard, E. Williams and M.R. Wilson.

Also present: Councillors S.M. Hanks, G. John (Cabinet Member for Leisure, Sport and Wellbeing) and N.J. Wood.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. B. Oakley	2018/01408/FUL – Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge	Objectors to the application or their representative
Dr. T. Davies	2018/01408/FUL – Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge	Objectors to the application or their representative
Councillor Rev. H. Weddell	2018/01408/FUL – Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge	A representative of a Town or Community Council
Mr. S. Harries	2018/01408/FUL – Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge	The applicant or their representative
Mr. P. Booth	2021/01242/FUL - Land adjacent to Littlemoor Farm, Squire Street, Llysworney	The applicant or their representative

Councillor N.J. Wood spoke on application 2018/01408/FUL – Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge in his capacity as a Vale of Glamorgan Member for the Cowbridge Ward.

23 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

24 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 27th April, 2022 be approved as a correct record.

25 DECLARATIONS OF INTEREST –

Councillor A.M. Ernest	2022/00046/FUL – 4 Park Road, Penarth	<p>Personal and Prejudicial Interest – the nature of the interest is that a close family relative lives in the vicinity of the application address and the applicant was known to him.</p> <p>Councillor Ernest withdrew from the meeting during discussion of this item.</p>
Councillor Dr I.J. Johnson	2021/00622/FUL - 81-85 Holton Road, Barry	<p>Personal interest – Councillor Dr. Johnson had made comments and participated in discussions on this matter previously as a local ward member and as a member of the Planning Committee. He confirmed that he had not predetermined his position on this issue and that any decision made at the meeting would be made with full regard and consideration of all available information.</p> <p>Councillor Dr. Johnson remained in the meeting when the item was considered.</p>
Councillor Dr I.J. Johnson	2021/01123/FUL - Land to the South and West of The Goodsheds, Hood Road, Barry	<p>Personal interest – Councillor Dr. Johnson had made comments and participated in discussions on this matter</p>

		<p>previously as a local ward member and as a member of the Planning Committee. He confirmed that he had not predetermined his position on this issue and that any decision made at the meeting would be made with full regard and consideration of all available information.</p> <p>Councillor Dr. Johnson remained in the meeting when the item was considered.</p>
Councillor I.A.N. Perry	2018/01408/FUL - Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge	<p>Personal interest - Councillor Perry had made comments on this development / location as part of the Local Development Plan (LDP) regarding the change of use of land almost a decade ago and may have subsequently signed a petition regarding this. He confirmed that he had not predetermined his position on this issue and that any decision made at the meeting would be made with full regard and consideration of all available information.</p> <p>Councillor Perry remained in the meeting when the item was considered.</p>

26 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.

27 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 14 through 32, under the above delegated powers be noted.

28 APPEALS (HRP) –

RESOLVED –

(1) T H A T the appeal received following the refusal of the Council to grant planning permission, as detailed in Section A of the report, be noted.

(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 Decisions, as detailed in Section C of the report, be noted.

(4) T H A T it be noted that no Enforcement Appeal 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 2022 – March 2023, as detailed in Section E of the report, be noted.

29 TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report on pages 37 and 38, as determined by the Head of Regeneration and Planning under delegated powers, be noted.

30 PUBLIC RIGHTS OF WAY SUB-COMMITTEE MEMBERSHIP (HRP) –

The purpose of the report was to confirm the appointment of a Public Rights of Way Sub-Committee.

It was explained that appointment of the Public Rights of Way Sub-Committees was

required for each Municipal Year. The Public Rights of Way Sub-Committee (comprising five Members) was included in the "Political Balance" table which was used at the Annual Meeting on 23rd May 2022 in terms of the appointment of Committees generally.

Based on "Political Balance" the membership of the Sub-Committee would comprise 2 Labour Group Members, 1 Conservative Group Member, 1 Plaid Group Member, 1 Llantwit First Group Member.

The report sought to confirm the appointment to the 5 positions of the Subcommittee which were confirmed as follows:

Membership:

Labour (2): Councillors P. Drake and N.C. Thomas

Conservative: (1): Councillor G. Bruce

Plaid: (1) Councillor N.P. Hodges

Llantwit First Independents: (1): Councillor E. Williams

Councillor Perry asked why there were no independent members on this Subcommittee; it was confirmed that under the "Political Balance" membership was based on political groups and representation rather than individual, independent members. The Councillor was advised that he could also speak to the Operational Manager, Democratic Services, if he had any further questions or concerns on this matter.

RESOLVED – T H A T the Public Rights of Way Sub-Committee comprising 5 Members as set out in paragraph 2.2 of the report (2 Labour, 1 Conservative, 1 Plaid Cymru and 1 Llantwit First Independent) be appointed.

Reason for decision

To confirm the appointment of the Public Rights of Way Sub-Committee for 2022/23.

31 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.

2018/01408/FUL Received on 21 January 2020
(P. 52)

APPLICANT: Hafod Housing, C/o Agent

AGENT: Mr Steffan Harries, LRM Planning, 22, Cathedral Road, Cardiff, CF11 9LJ

Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge

Proposed demolition of existing school, development of 34 dwellings (30 flats and four houses) and associated works including the construction of bespoke bat roost, access/parking and landscaping

APPROVED – Subject to the conditions as contained within the report and with amended and additional informatives as below:

Amended informative:

The applicant is required to contact Highway Maintenance team networkmanagement@valeofglamorgan.gov.uk prior to carrying out any works on site adjacent to the adopted highway to agree location, specifications and for permission to work within the highway. All associated costs of undertaking the works will be at the applicant's own expense to ensure all works on the adjacent highway will be undertaken in accordance with the Council's standard details for adoption and in the interests of highway safety. The developer must enter into a Section 278/S38 Agreement with the Highway Authority before undertaking works along the adjacent highway.

Additional Informative:

The applicant shall note that a minimum of 12 weeks' notice is required to implement Temporary or Permanent Traffic Regulatory Orders should the closure or other Order be agreed. Requests for any such Orders must be submitted in writing to Operational Manager Highways and Engineering, Alps Depot, Wenvoe, Vale of Glamorgan.

Reason for decision

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

2021/00622/FUL Received on 18 May 2022
(P. 91)

APPLICANT: Kestral Construction and Hafod HA

Agent: Mr Liam Griffiths Asbri Planning Ltd., Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS

81-85, Holton Road, Barry

Part demolition, extension and conversion of the upper floors of no. 81 – 85 Holton Road to provide 25 no. residential flats, internal and external alterations and associated works.

RESOLVED – T H A T, subject to the amended S106 resolution as follows:

- The developer pays £54,996 for the provision or enhancement of educational facilities in schools serving the development for Secondary school children.
- The developer pays a contribution of £57,500 towards sustainable transport facilities in the vicinity of the site.
- The developer provides public art on the site to the value of 1% of the build costs or otherwise pays a contribution to the same value to the Council.

- The developer pays a contribution of £66,700 towards providing or enhancing public open space in the vicinity of the site.

AND

- The units shall only be occupied as affordable housing that meets the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing, or any future guidance that replaces it.
- The developer pays the legal and implementation/monitoring fees for the S106 agreement.

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.

2021/01123/FUL Received on 28 February 2022

(P. 120)

APPLICANT: DS Properties (Good Shed) Ltd c/o Agent

AGENT: Gwen Thomas Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS

Land to the South and West of The Goodsheds, Hood Road, Barry

Proposed development of tourist accommodation, employment spaces and associated works on the setting of the listed Pumphouse, impact on residential amenity, parking and highway safety, and drainage. Having regard to these and other material considerations the application is recommended for APPROVAL, subject to conditions.

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.

2021/01242/FUL Received on 23 August 2021

(P. 137)

APPLICANT: Mr Paul Booth, Littlemoor Farm, Squire Street, Llysworney, CF71 7NQ

AGENT: Mr Alex Veitch, Bourne House, Cores End Road, Bourne End, SL8 5AR

Land adjacent Littlemoor Farm, Squire Street, Llysworney

Erection of a detached dwelling; detached garage with first floor accommodation; landscaping; and associated works

REFUSED –

- (1) Having regard to the Council's duties under Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the development would harm the character and appearance of the Llysworney Conservation Area by reason of its size, scale, urbanising effect and the significant disruption of a significant view. It is therefore contrary to Policies SP1 - Delivering the Strategy, criterion 1 of SP10 – Built and Natural Environment, criteria 1, 2 and 10 of MD2 - Design of New Development, criteria 3 and 4 of MD5 – Development within Settlement Boundaries and criterion 1 of MD8 – Historic Environment of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; as well as the advice and guidance contained in Planning Policy Wales (11th ed.) and TAN12 – Design.
- (2) The proposals would result in the unnecessary loss of a significant number of trees which have biodiversity and habitat value, climate benefits, and contribute positively to local amenity and the character and verdant setting of the Llysworney Conservation Area. The development is therefore contrary to Policies SP1 – Delivering the Strategy, criterion 1 of SP10 – Built and Natural Environment, criteria 10 of MD2 – Design of New Development, criteria 3 and 4 MD5 – Development within Settlement Boundaries and Policy MD9 – Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; as well as the advice and guidance contained in Planning Policy Wales (11th ed.) and TAN12 – Design.
- (3) In the absence of a Section 106 agreement, adequate provision for affordable housing has not been secured, contrary to policies MD4 (Community Infrastructure and Planning Obligations) and MG4 (Affordable Housing) of the LDP and the Council's Affordable Housing SPG.

Reason for decision

The decision to recommend refusal of planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

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

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

2022/00046/FUL Received on 20 January 2022

(P. 159)

APPLICANT: Nigel Arnold Architect, 5 Penarth Head Lane, Penarth, CF64 1BB

AGENT: Nigel Arnold, Nigel Arnold Architect, 5 Penarth Head Lane, Penarth, CF64 1BB

4, Park Road, Penarth

Removal of 1950s external concrete stair. Construction of new part internal stair and lift shaft pod. Reinstatement of top floor side window as original. Removal of concrete surrounds to front top floor window and reinstatement with Bathstone surrounds to wider windows. Replacement of rendered flat roof side dormer window with new pitched roof dormer. Construction of top floor rear extension and balcony.

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.

2022/00155/FUL Received on 14 March 2022

(P. 172)

APPLICANT: Darren Evans, 32, Merthyr Dylan Road, Barry, CF62 9TG

AGENT: Andrew Skinner, 36, Coychurch Road, Bridgend, CF31 3AP

Land off Porthkerry Road, Rhose

Construct 1.8m high feather edged fence and blackthorn hedgerow planting to approximately 50m of boundary to land off Porthkerry Road

REFUSED –

(1) T H A T, by reason of its siting, design, and the distinctly rural appearance of the landscape, the fence at this prominent plot fronting Porthkerry Road adversely impacts the visual amenity of the countryside and harmfully dilutes the consistent rural and verdant character, which is a key landscape feature of this area. The development is, therefore, contrary to Policies MD1 and MD2 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and the advice contained within Technical Advice Note 6 and 12 and Planning Policy Wales 11th Edition.

(2) T H A T the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

- the removal of the fence and resulting materials from the land or reduction of the fence to a height of not more than 1 metre above ground level.

(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 decision

The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

The proposed fence has an unacceptable impact on the visual amenity of the countryside and is therefore contrary to Policies MD1 and MD2 of the Local Development Plan.

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

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

2022/00401/FUL Received on 28 March 2022

(P. 186)

APPLICANT: Mr and Mrs Markos, and Markella Asprou 3 White House, Barry, CF62 6FB

AGENT: Mr Tasos, Asprou Studio 2, The Coach House, Stanwell Road, Penarth, CF64 3EU

3, White House, Barry

Single and two storey extensions to the front and rear of property to include annex; single storey extension to the side, including material and other alterations. Rear terrace and alterations to front boundary treatments. Internal alterations

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.