

No.

PLANNING COMMITTEE

Minutes of a remote meeting held on 21st December, 2022.

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

The recording of the meeting is available [here](#).

Present: Councillor N.C. Thomas (Chair); Councillor S.D. Perkes (Vice-Chair); Councillors G. Bruce, I. Buckley, C.A. Cave, C.E.A. Champion, M. Cowpe, 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 L. Burnett, C.P. Franks, W.A. Hennessy and R. Sivagnanam.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. G. Roberts	2022/00077/FUL - Albert Road Methodist Church	Objectors to the application or their representative.
Mrs. R. Wheeler	2022/00077/FUL - Albert Road Methodist Church	Objectors to the application or their representative.
Councillor Ruba Sivagnanam	2022/00077/FUL - Albert Road Methodist Church	VoG Elected Member and Local Ward Member
Mr. J. Hurley	2022/00077/FUL - Albert Road Methodist Church	The Applicant or their Representative.
Mrs. C. Lewis	2022/00918/FUL - 96 Lavernock Road, Penarth	Objectors to the application or their representative.

579 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.”

580 APOLOGY FOR ABSENCE –

This was received from Councillor P. Drake.

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581 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 23rd November, 2022 be approved as a correct record.

582 DECLARATIONS OF INTEREST –

Councillor I.A.N. Perry	2020/01588/FUL - Old Police Station, Cowbridge Road, St. Nicholas	Personal Interest – Councillor Perry was the local ward member and had previously considered the application but was considering the application during the meeting with fresh eyes. Councillor Perry remained in the meeting for the item.
Councillor A.M. Ernest	2022/00918/FUL - 96 Lavernock Road, Penarth	Prejudicial Interest – Councillor Ernest had predetermined the application as local ward member and therefore withdrew from the meeting for the item.

583 SITE INSPECTIONS (CX) –

RESOLVED – T H A T the attendance of the following Councillors at the site visits held on 19th October, 2022 be noted:

Apologies for both Site Visits (A and B) were received from Councillors R.M. Birch, G. Bruce, C.A. Cave, C.E.A. Champion, C.M. Cowpe, P. Drake, W. Gilligan, N.P. Hodges, Dr. I.J. Johnson, H.M. Payne, S. Perkes (Vice-Chair), E. Williams and M.R. Wilson.

Apologies for Site Visit B were received from Councillors G. Bruce and A.M. Ernest

(a) Land at Model Farm, Rhoose.	Councillor N.C. Thomas (Chair); Councillors G. Bruce, C.E.A. Champion, A.M. Ernest, I.A.N. Perry and C. Stallard. Also Present – Councillors S. Campbell and W. Hennessy.
(b) Land to the North of Maes Y Ffynnon, off A48, Bonvilston	Councillor N.C. Thomas (Chair); Councillors C.E.A. Champion, I.A.N. Perry and C. Stallard.

No.

584 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 serving of Notices under Section 32 Buildings Act 1984, as listed in Section (D) of the report, be noted.

585 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 15 through 31, under the above delegated powers be noted.

586 APPEALS (HRP) –

RESOLVED –

- (1) T H A T the appeals 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.

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587 TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report on pages 37 to 39, as determined by the Head of Regeneration and Planning under delegated powers, be noted.

588 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.

2022/00077/FUL Received on 26 May 2022.

(p40)

APPLICANT: DS Holdings (Penarth) Ltd c/o agent,

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

Former Albert Road Church, Penarth.

Change of use to mixed office space, community use spaces and lifestyle uses (B1a and D1 uses) and external alterations and window refurbishments/replacements.

APPROVED – Subject to the conditions as contained within the report and an amendment to Condition 3 as below:

The approved use in the lower basement shall not be carried out during the hours of 22:00 to 07:30 Monday to Sunday.

The approved use in the ground and first floor shall not be carried out during the hours of 20:00 to 07:30 Monday to Sundays.

Any internal lighting shall be switched off outside of the specified opening hours.

Reason:

To ensure that noise and light at unsociable hours is not a nuisance to surrounding residents and to ensure compliance with the terms of Policies MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

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Reason for decision

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

2020/01588/FUL Received on 15 September 2022.
(p71)

APPLICANT: N Wilson Police Station, Cowbridge Road, St. Nicholas, CF5 6SH.

AGENT: Mr Sean Taylor ST Planning, 36, Clos Nant Mwan, Pontprennau, Cardiff, CF23 8NA.

Police Station, Cowbridge Road, St. Nicholas.

Conversion of building into 3 Apartments.

RESOLVED – T H AT subject to the applicant first entering into a Section 106 Agreement to secure the following:

- Provide an off-site contribution of £82,893.60 towards affordable housing; and
- A clause for the payment of an administration fee of £1657.87 (2% of the contribution sought), to cover the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 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.

2022/00232/FUL Received on 27 October 2022.
(p98)

APPLICANT: Mr Ali Alzahid 36, Pill Street, Cogan, Penarth, CF64 2JS.

AGENT: Mr Somas Kandiah 58B, Clearwater Way, Lakeside, Cardiff, CF23 6DJ.

36, Pill Street, Cogan, Penarth.

Single storey rear extension, first floor rear extension, loft conversion including rear dormer with alteration to rear garage to convert property into two self-contained two bed flats with external alterations (Amended roof design to that approved in 2020/00374/FUL).

REFUSED AND ENFORCEMENT ACTION AUTHORISED

By reason of the size, height and depth of the extensions, and their siting directly adjacent to the garden space and windows of the neighbouring dwelling, the proposed development would unacceptably enclose and dominate the outlook from the neighbouring property and would appear as harmfully overbearing. The

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development is therefore contrary to policies MD2 and MD5 of the Vale of Glamorgan Local Development Plan and the advice within the Council's Residential and Householder Development SPG.

Authorise Enforcement Action comprising either:

Demolish the unauthorised extensions,

OR

Physically amend the extensions as constructed so that they align with the development approved by 2020/00374/FUL.

2022/00918/FUL Received on 11 August 2022.

(p115)

APPLICANT: Glen Thomas Architecture 112 Kimberley Road, Penylan, Cardiff, CF23 5DN.

AGENT: Mr Richard Wood 112 Kimberley Road, Penylan, Cardiff, CF23 5DN.

96, Lavernock Road, Penarth.

Loft conversion with rear dormer. Rear single storey, flat roof extension with first floor extension. General internal remodel. Modernisation of front porch. Alteration to front fenestration.

Cllr Ernest withdrew from the meeting before consideration of this item.

DEFERRED for officers to report back with reasons for refusal relating to overbearing impacts.

Reason for decision

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

589 MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT _

RESOLVED – T H A T the following matter which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

No.

590 DNS LOCAL IMPACT REPORT – PROPOSED SOLAR FARM WITH BATTERY STORAGE FACILITY AND ASSOCIATED ANCILLARY INFRASTRUCTURE (PARC DYFFRYN SOLAR FARM), LAND AT VIANSHILL FARM, THE DOWNS, ST. NICHOLAS (HSD) -

(Urgent by reason of the need to refer to Planning Committee for information, to inform Members of the Planning issues and to ensure Members could submit any further representations in a timely manner as part of the development of National Significance (DNS) Process

RESOLVED

- (1) T H A T the report as presented be noted.
- (2) T H A T any further comments on the Application be forwarded to the Operational Manger for Building and Planning Control for consideration by the Committee Chair.

Reasons for decisions

- (1) Having regard to the content of the report and discussions at the meeting.
- (2) To ensure that the views of the collective Committee be passed to Planning and Environment Decisions Wales (PEDW) during the consultation period.