

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 17 OCTOBER 2024

Page	Application	Location	Item No.	Description
	2019/01337/FUL 2019/01340/FUL	Garwa Quarry Ruthin Quarry	1.	Additional plan showing transport routes
			2.	Email from neighbouring property to all members
	2024/00636/FULL	34 Smithies Avenue, Sully	3.	Response from neighbour regarding the overshadow document submitted by the Agent
			4.	Response from Agent highlighting factual inaccuracies on the committee report

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 17 October 2024**

Application No.: 2019/01337/FUL	Case Officer: Mr. I. Robinson
Location: Garwa Quarry, St. Mary Hill, Ruthin Proposal: Variation of Condition 3 - Time Limit 31/12/2019 - Extraction of carboniferous limestone, Garwa Farm (Ref 382(Z)1341), 09/06/1070, as amended by Deepening of quarry from 135ft. to 90ft. AOD (Ref 1048), as amended by revised working scheme and end date Condition 3 (Ref. 97/00796/FUL)	

From: Case officer**Summary of Comments: Additional map showing transport routes.****Action required: Members to note.**

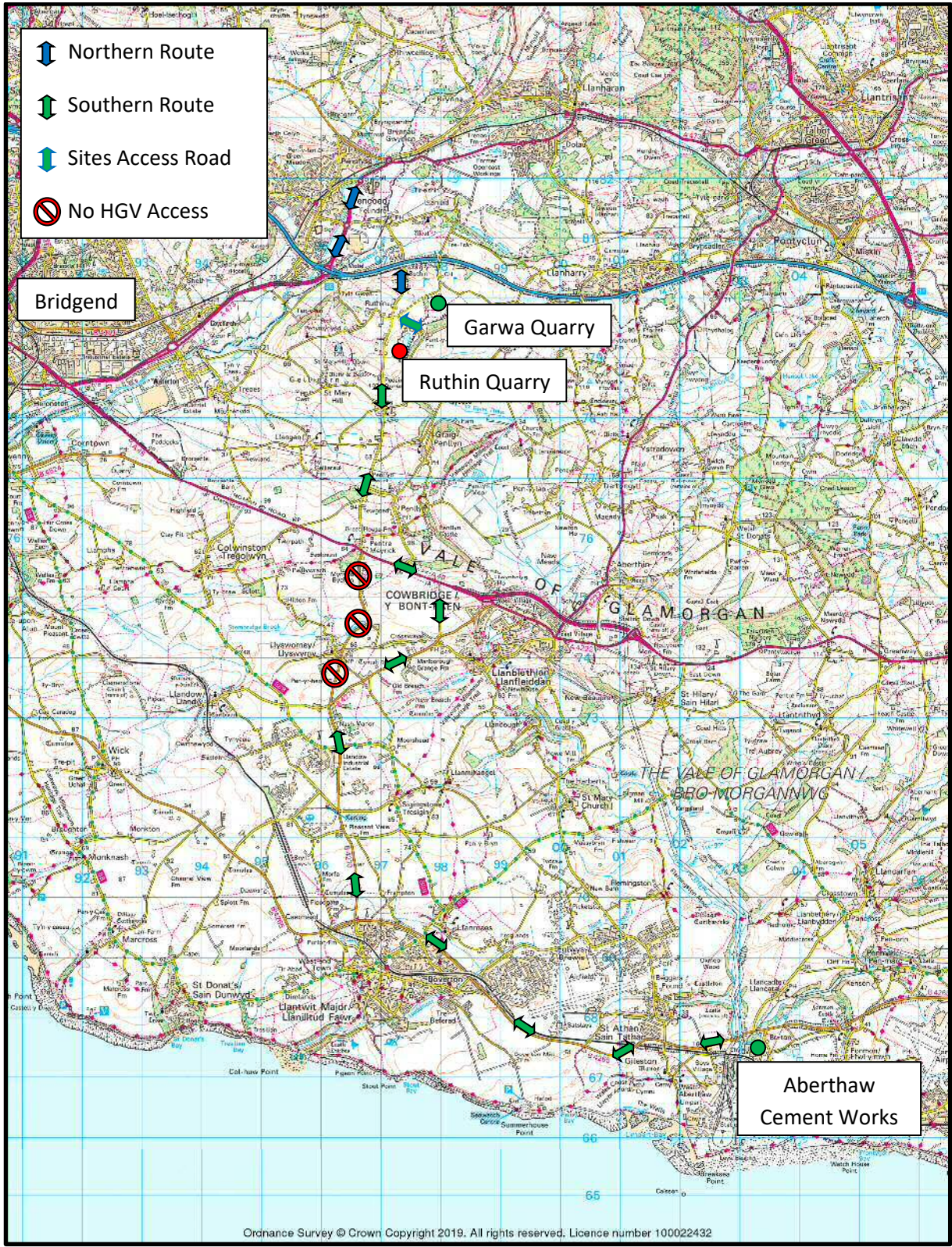


FIGURE 13.1 – LOCAL HIGHWAY NETWORK & VEHICLE ROUTES TO NORTH AND SOUTH

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 17 October 2024

Application No.: 2019/01337/FUL and 2019/01340/FUL	Case Officer: Mr. I. Robinson
Location: Garwa Quarry, St. Mary Hill, Ruthin	
Proposal: Variation of Condition 3 - Time Limit 31/12/2019 - Extraction of carboniferous limestone, Garwa Farm (Ref 382(Z)1341), 09/06/1070, as amended by Deepening of quarry from 135ft. to 90ft. AOD (Ref 1048), as amended by revised working scheme and end date Condition 3 (Ref. 97/00796/FUL)	

From: Email from neighbouring property to all Members

Summary of Comments:

Request for applications to be deferred to give further time to consider conditions and impacts. Other points noted:

- The applicant has previously not abided by Planning conditions.
- The applicant has quarried through public rights of way many years ago with no permissions. The Public Right of Way report within the planning report implies that there is no current issue.
- Some of the quantitative planning conditions are duplicated on both applications, e.g. this will increase potential noise levels from 8 weeks to 16 weeks per year.
 - Temporary and short-term operations - 8 weeks per year
 - 2019/01337/FUL - Condition 8, 23 & 25
 - 2019/01340/FUL - Condition 8, 26, 28
- The MTAN1 notes that during temporary and short-term operations higher levels may be reasonable but should not exceed 67dB(A) for periods of up to 8 weeks in a year at specified noise sensitive properties, and this is recommended by condition in relation to Garwa and Ruthin.
- Additionally, the applications have indicated annual limits for the transportation of product from the quarries to Aberthaw/elsewhere. There is no current condition suggested for a daily limit, this lack of condition could have

serious impacts on the highways. In today's digital age, a daily limit could be easily abided by & monitored.

Officer Response:

- It would not be reasonable to refuse this proposal based on any previous failures to comply with conditions. It is considered that the suite of recommended conditions are enforceable and if any breach were identified, this could be remedied using enforcement powers available to the Council.
- The PROW issue is discussed in the report and this is not intended to confirm that there is no issue. The PROW Officer has advised:

The granting of Planning Permission does not give the applicant permission to close or divert a Public Right of Way. It also does not mean that any application to alter the Public Rights of Way network will succeed. A legal diversion or stopping-up order must be obtained, confirmed and implemented prior to any development affecting the Public Rights of Way taking place. Should the Public Rights of Way require temporary closure to assist in facilitating further works an order should be sought under the Road Traffic Regulation Act 1984.

This is a matter which is subject to legislation outside of the Planning process and can be enforced separately.

- In respect of temporary operations, it has been considered reasonable to afford both quarries the period of 8 weeks of temporary operations per year. That does not infer that those operations would be required for that duration for either or both quarries each year. Notwithstanding that, the calculated noise levels for temporary operations (at the nearby properties listed in the conditions) are below the 'normal' working noise limits for the majority of properties. In the case of the two properties where the calculated noise would be higher than the 'normal' working noise limits, the noise would remain well below the 67dBa recommended in MTAN1.
- It is recognised that there is no condition recommended that places a daily limit on output. However, the recommended conditions contain hours of operation limitations that will in itself adequately limit the extent of vehicle movements in any one day. Improvements to the access road to the quarries (and Pant Y Lliwydd Farm) are required by condition 36 (2019/01337/FUL) and condition 39 (2019/01340/FUL) which will assist access to this neighbouring property, with enhanced passing provisions.

Action required: Members to note.

From: [REDACTED]
 16 October 2024 13:34
To: [REDACTED]
Subject: FW: Planning Committee 17-Oct-2024 - Garwa & Ruthin Quarry

Ian Robinson
 Head of Sustainable Development / Prif Gynllunydd Ceisiadau
 Directorate of Place / Adfywio a Chynllunio
 Vale of Glamorgan Council / Cyngor Bro Morgannwg
 tel / ffôn: 01446 704777
 mob / sym:
 e-mail / e-bost: I.Robinson@valeofglamorgan.gov.uk

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

From: [REDACTED]
Sent: 16 October 2024 11:26
To: Thomas, Neil C (Cllr) <ncthomas@valeofglamorgan.gov.uk>; Wilson, Mark R (Cllr) <MRWilson@valeofglamorgan.gov.uk>; Aviet, Julie (Cllr) <javiet@valeofglamorgan.gov.uk>; Bruce, Gillian (Cllr) <gbruce@valeofglamorgan.gov.uk>; Buckley, Ian (Cllr) <ibuckley@valeofglamorgan.gov.uk>; Cave, Christine A (Cllr) <cacave@valeofglamorgan.gov.uk>; Champion, Charles EA (Cllr) <ceachampion@valeofglamorgan.gov.uk>; Cowpe, Marianne (Cllr) <mcowpe@valeofglamorgan.gov.uk>; Drake, Pamela (Cllr) <PDrake@valeofglamorgan.gov.uk>; Ernest, Anthony M (Cllr) F.T.S., M.R.S.G.B. <amernest@valeofglamorgan.gov.uk>; Gilligan, Wendy (Cllr) <wgilligan@valeofglamorgan.gov.uk>; Hodges, Nic P (Cllr) <NPHodges@valeofglamorgan.gov.uk>; Johnson, Ian (Cllr) <ijohnson@valeofglamorgan.gov.uk>; Payne, Helen (Cllr) <hpayne@valeofglamorgan.gov.uk>; Perry, Ian AN (Cllr) <ianperry@valeofglamorgan.gov.uk>; Stallard, Carys (Cllr) <cstallard@valeofglamorgan.gov.uk>; Williams, Eddie (Cllr) <EdWilliams@valeofglamorgan.gov.uk>
Cc: Llangan Community Council <llangancouncil@gmail.com>; townclerk@cowbridge-tc.gov.uk; Penllyn CC <penllyn.community.council@gmail.com>
Subject: Planning Committee 17-Oct-2024 - Garwa & Ruthin Quarry

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Dear Planning Committee

Ref:
 2019/01337/FUL Garwa Quarry, St. Mary Hill, Ruthin
 2019/01340/FUL Ruthin Quarry

Please could you consider moving these applications to next month to enable sufficient time to review the 74-page planning department recommendations.

My family live at Pant-y-lliwyd Farm, our access is along the public road, with the two quarries being either side of the road to the farm.

The applicant has historically not abided by existing planning conditions. They have spent considerable time, effort & money since 2019 on these applications & despite being reminded on numerous occasions, cannot be bothered to rectify even an easily solved situation.

e.g. Public Rights of Way

The applicant has quarried through public rights of way many years ago with no permissions. The Public Right of Way report within the planning report implies that there is no current issue, when it is clear that there is. I have included this information several times within objections. <https://myvale.valeofglamorgan.gov.uk/myCouncil.aspx>



Whilst the applications have been submitted & are due to be determined separately, the operation will run as one, as stated several times within the report.

Some of the quantitative planning conditions are duplicated on both applications, e.g. this will increase potential noise levels from 8 weeks to 16 weeks per year.

Temporary and short-term operations - 8 weeks per year

2019/01337/FUL - Condition 8, 23 & 25

2019/01340/FUL - Condition 8, 26, 28

Page 73:

The MTAN1 notes that during temporary and short-term operations higher levels may be reasonable but should not exceed 67dB(A) for periods of up to 8 weeks in a year at specified noise sensitive properties, and this is recommended by condition in relation to Garwa and Ruthin.

Additionally, the applications have indicated annual limits for the transportation of product from the quarries to Aberthaw/elsewhere.

There is no current condition suggested for a daily limit, this lack of condition could have serious impacts on the highways. In today's digital age, a daily limit could be easily abided by & monitored.

I would really appreciate your consideration on delaying the determination of these applications as the number of conditions & impacts will take some time to assess.

Kind regards, [REDACTED]

[REDACTED]

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE :

Application No.: 2024/00636/FUL	Case Officer: Laura Fower
Location: 34 Smithies Avenue, Sully	
Proposal: New dwelling under construction within curtilage of 34 Smithies Avenue	

From: Mr Wall

Summary of Comments: The Agent has highlighted some factual inaccuracies and what they consider to be omissions from the committee report.

Officer Response: It is not considered that any of the points raised have a material impact on the assessment of the application. However, the factual inaccuracies are corrected below for clarity.

Action required: Note the below corrections to the content of the committee report:-

- ‘Living and Amenity Space Provision’, Page 169:

*“The Residential and Householder Development SPG suggests that for houses a minimum of 20 sqm amenity space per person should be provided and that the majority of this should be private garden space. The SPG further clarifies that a 3+ bedroom house would typically have 4 persons. The dwelling would have ~~three~~ **four** bedrooms and therefore based on the above, should provide 80 sqm of amenity space. The submitted plans indicate that the amount provided would exceed this level, with a total of approx. 215 sqm of amenity space shown to be provided to the rear of the dwelling (taking into account the main garden area and raised patio), which is commensurate with the amount provided under the 2015 application and is in excess of the amount required by the SPG.”*

- ‘Biodiversity and Green Infrastructure’, Page 171:

*“It is also proposed to plant 4 standard trees (Cypress or similar) along the ~~western~~ **eastern** garden boundary, as illustrated on the accompanying Biodiversity plan, which will provide species with opportunities for shelter and nesting.”*

Fower, Laura

From: Nicholas Wall <idesign.nick@gmail.com>
Sent: 13 October 2024 17:26
To: Fower, Laura; d [REDACTED]
Subject: comments on officer's report
Attachments: image001.png

Hi Laura thanks for all your efforts on our application. It may not be my place and may be too late but I have below noted some errors and omissions that I would like to see amended in your report if at all possible to avoid any further issues with complainants and to maximise our chances of a yes vote:

1. page 5 on pdf, page 154 on report

should read: "and showed the second storey element set back some 750mm from the intended position directly below the proposed third storey roof terrace"

2. page 6 on pdf, page 155 on report

Images of my plans have been stretched to fit, making them appear much wider than actual size. Please make them to correct aspect ratio.

3. page 16 on pdf, page 165 on report

Dimensions - these are potentially misleading and possibly need checking

4. page 16 on pdf, page 165 on report

Could it be noted here that the rear 4metre deep terrace section of the third floor is essentially an open structure with no solid sides.

5. page 16 on pdf, page 166 on report

Could this point be added: If the application was for a conventional pitched roof with gable ends, then the ridge height overall would be at least as high as the proposed flat roof three storey dwelling and furthermore would extend the full length of the building.

6. page 16 on pdf, page 166 on report

Could the "regularisation overshadowing .pdf" that I sent you be referenced/linked here for clarity as it evidences the degree of shadowing?

7. page 18 on pdf, page 167 on report (Oyster Bend)

could this be added: nor any overlooking issues

8. page 19 on pdf, page 168 on report (2-5 Oyster Bend)

could this be added: nor any overlooking issues

9. page 20 on pdf, page 169 on report

CORRECTION- the dwelling would have four bedrooms

10. page 20 on pdf, page 169 on report

Could this be added somewhere? - It should be noted that circa 15 square metres of additional amenity space is provided by the third floor roof terrace.

11. page 22 on pdf, page 171 on report

CORRECTION: along the EASTERN boundary (this has been noted on the application plans etc)

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Regards,

Nick

077 455 811 67

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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE :

Application No.: 2024/00636/FUL	Case Officer: Laura Fower
Location: 34 Smithies Avenue, Sully	
Proposal: New dwelling under construction within curtilage of 34 Smithies Avenue	

From: Richard Aldridge on behalf of Terry Aldridge

Summary of Comments: The submitted letter is a response to the overshadowing document submitted by the Agent. Concerns are raised with regard to overshadowing and loss of light from the proposed development. It is requested that an overshadowing and light survey is undertaken to prove the claims made by the Agent and that the application is removed from the planning committee agenda whilst such a survey is undertaken.

Officer Response: The impact of the proposal on neighbouring properties insofar as overshadowing and loss of light has been fully considered in the assessment of the application. Pages 165-167 of the committee report specifically consider the impact of the proposal on no. 34a Smithies Avenue. It is concluded that any impact on light or overshadowing would be to a degree that would not be unacceptably harmful to amenity, having regard to the position proposed dwelling relative to the neighbouring property and its amenity space. Therefore it is considered that this would not warrant a reason to refuse the application.

Action required: No further action required.

Members

Senior planning Officer Rob Lancashire

And Laura Fower

October 10th, 2024

2024/00636/FUL 34b Smithies Avenue Sully.

Overshadowing / Light issues to numbers 34 and 34 a Smithies Avenue

In response to the applicant's statement that there is little or NO harmful overshadowing caused by the development.

On the evening of October 1st, we can agree with the applicant it was a lovely evening.

If my mother choses to close part of the blinds to watch the television, then that is her choice.

Her seat for more years than the applicant has been a neighbour is at the front of their living room as she wishes.

Unfortunately, when a 10-metre-high construction 4 metres beyond the rear elevation is proposed under the most bizarre circumstances and not of my families making or choice the overshadowing and light issues will affect their enjoyment of the living room which goes against policies of the VOG planning policies.

The applicant with his mobile phone is super confident as stated, of little or NO harmful overshadowing caused by the development to 34 A and I am sure the applicant will say also No 34. We include No 34 as the policies of a planning application include all neighbours.

So, we have a difference of opinion.

We have no expert opinion or survey.

So, in order to get to the correct conclusion, we need an overshadowing and light survey on the neighbours of 34B Smithies Avenue as mentioned previously.

Mr Aldridge offers to pay for 50 percent of the costs involved in the survey,

Be mindful of the facts, that it is the applicant and the Vale of Glamorgan Planning Department that has caused these issues. Not Mr Aldridge

Based on the applicants claims, without doubt the Vale of Glamorgan Planning department will want to remove the planning application from being presented to the committee on October 17th and give the opportunity to the applicant to proceed with a survey and prove his claims.

We look fore

[REDACTED]

[REDACTED]