

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **APRIL 10, 2025**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

1. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS

Decision Codes:

A	Accepted
AC	Approved Conditionally
AW	Accepted (Welsh Water)
R	Refused

(a) Building Regulation Applications - Pass

For the information of Members, the following applications have been determined:

2025/0120/BR	AC	Alban House, Cefn Mount, Dinas Powys. CF64 4AR	Single storey attached granny annex
2025/0121/BR	AC	22, Caerwent Close, Dinas Powys. CF64 4QA	Conversion of integral garage
2025/0123/BN	A	The Walled Garden, Wenvoe. CF5 6BE	Single storey extension
2025/0126/BN	A	Tregof, Cowbridge Road, Ystradowen. CF71 7SY	Metal lintel replacement
2025/0131/BR	AC	Woodland House, Twyncyn, Dinas Powys. CF64 4AS	Internal alterations to include: Replacement of windows and doors, amendments to existing window openings, external wall insulation.
2025/0132/BN	A	39, Cae Leon, Barry. CF62 9TF	Dormer loft conversion to create bedroom and internal alterations to ground floor to accommodate new staircase
2025/0133/BN	A W	14, Fferm Goch, Llangan. CF35 5DP	Detached Garden store extension works

2025/0134/BN	A W	14, Ceri Road, Rhoose. CF62 3HF	Single storey extension
2025/0135/BN	A	6, Church View, Llanblethian, Cowbridge. CF71 7JJ	Single storey porch extension & internal wall alteration
2025/0136/BN	A	22, Trem Y Don, Barry. CF62 6QL	Single storey rear extension and internal alterations
2025/0137/BN	A	Slon Cottage, Slon Lane, Ogmore By Sea. CF32 0PN	New 2 storey extension to the side. 1 en suite to existing bedroom.
2025/0138/BR	AC	Lillypot House, Redway Road, Bonvilston. CF5 6TR	Demolition of an existing conservatory and porch, construction of a new single storey rear extension, modifications to include replacement of existing flat roof with a new pitched slate roof and 2 storey side extension, and internal alterations
2025/0139/BN	A	79, Crompton Way, Ogmore By Sea. CF32 0QF	Integral garage conversion into an office and storage space
2025/0141/BN	A	9, Beechwood Drive, Penarth. CF64 3RB	Opening up of ground floor area for open plan kitchen / diner & installation of en- suite to master bedroom
2025/0142/BN	A	30, Dylan Crescent, Barry. CF63 1RZ	Re roof and associated works
2025/0143/BN	A	12, The Paddock, Penarth. CF64 5BW	Extension over existing garage and 2 storey rear extension only
2025/0144/BR	AC	50, St. Davids Crescent, Penarth. CF64 3NA	Proposed ground floor & first floor extensions & entrance porch to create additional living space & bedrooms
2025/0145/BN	A	71, Redland Road, Penarth. CF64 2WE	To take down chimney breast / wall to ground floor
2025/0146/BN	A	Crossways, Twyncyn, Dinas Powys. CF64 4AS	Two storey side extension and internal alts

2025/0147/BN	A	Prisk House, Prisk, Cowbridge. CF71 7TS	Enlarge existing door opening in gable. Install 4 no. steel beams over opening
2025/0148/BR	AC	1, Laburnum Way, Penarth. CF64 3NE	Single storey extension
2025/0149/BR	AC	48, Cosmeston Drive, Penarth. CF64 5FA	Proposed single storey extension to rear
2025/0150/BN	A	68, Stanwell Road, Penarth. CF64 3LQ	Thermal upgrade to the ground floor slab & installation of under floor heating. Single storey rear extension
2025/0151/BN	A	109, Tynewydd Road, Barry. CF62 8BB	Knock through internal wall and installation of 1 steel beam
2025/0152/BN	A W	Foxglove Cottage, 1, Castle Mews, Llanblethian, Cowbridge. CF71 7FA	Conversion and extension of detached garage to ancillary annex.
2025/0153/BN	A	33, Laburnum Way, Penarth. CF64 3NE	Re roof
2025/0154/BN	A	24, Murch Road, Dinas Powys. CF64 4NJ	Installation of a new concrete lintel to form a new window opening
2025/0164/BN	A	Rhoose Primary School, Fontygary Road, Rhoose. CF62 3DS	Alterations to foul & surface water drainage

(b) Building Regulation Applications - Reject

For the information of Members, the following applications have been determined:

2025/0140/BN	R	REFUSED - 11, Baron Road, Penarth CF64 3UD	REFUSED - Loft conversion with hip to gable and dormer. Amending existing loft
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(c) The Building (Approved Inspectors etc.) Regulations 2000

For the information of Members the following initial notices have been received:

2025/0032/AI		3, The Nurseries, Fontygary Road, Rhoose. CF62 3BW	Removal of 3 no. load bearing wall and insertion of new structural steelwork (works o incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0031/AI	A	Morfa, Victoria Park Road, Barry. CF63 2JS	Two storey rear extension, single storey front extension, internal refurbishment of existing dwelling and loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0030/AI	A	Toby Carvery Rhoose, Port Road West, Barry. CF62 3Ba	New drainage works and installation of a new extract canopy within the existing kitchen area AMENDED 13/03/2025 - New drainage works, installation of new extract canopy within the existing kitchen area and internal alterations

(d) Section 32 Building Act, 1984

It is proposed to implement the above section of the Building Act with a view to remove from the filing system, building regulation plans relating to work which has not commenced. This section of the Building Act makes provision for the Local Authority to serve notice in respect of plans which are three or more years old. Where such notices have been served (when the proposal has not commenced), it means that the plans are of no further effect and can be destroyed.

It is proposed to serve notices in respect of the following Building Regulations applications.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **APRIL 10, 2025**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

2. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved	O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C - Unclear if permitted (PN)	B - No observations (OBS)
EB EIA (Scoping) Further information required	E Split Decision
EN EIA (Screening) Not Required	G - Approved the further information following "F" above (PN)
F - Prior approval required (PN)	N - Non Permittal (OBS - objections)
H - Allowed : Agricultural Condition Imposed : Appeals	NMA – Non Material Amendments
J - Determined by NAFW	Q - Referred to Secretary of State for Wales (HAZ)
L - Approved <u>AND</u> refused (LAW)	S - Special observations (OBS)
P - Permittal (OBS - no objections)	U - Undetermined
R - Refused	RE - Refused (Enforcement Unit Attention)
	V - Variation of condition(s) approved

2014/01505/3/NMA	A	Land at North West Cowbridge	<p>Non Material Amendment - To amend wording of Condition 8. (Travel Plan) for planning ref 2014/01505/OUT - Detailed Permission for the construction of a link road connecting Cowbridge bypass with Llantwit Major including footpaths/cycleways landscaping and associated engineering works. Outline permission with all matters reserved other than access for a mixed use residential led development - AMENDED SCHEME - increase in the maximum number of units that could be accommodated on the site from 390 to 475</p>
2014/01505/4/NMA	A	Land at North West Cowbridge	<p>Non Material Amendment to Condition 24 LEMP, for planning ref 2014/01505/OUT - Major including footpaths/cycleways landscaping and associated engineering works. Outline permission with all matters reserved other than access for a mixed use residential led development - AMENDED SCHEME - increase in the maximum number of units that could be accommodated on the site from 390 to 475</p>

2014/01505/7/NMA	A	Land at North West Cowbridge	Non Material Amendment - An Amendment to remove Condition 15 in relation to bus shelters. For planning ref; 2014/01505/OUT - Detailed Permission for the construction of a link road connecting Cowbridge bypass with Llantwit Major including footpaths/cycleways landscaping and associated engineering works. Outline permission with all matters reserved other than access for a mixed use residential led development - AMENDED SCHEME - increase in the maximum number of units that could be accommodated on the site from 390 to 475
2019/00920/FUL	A	Former Public Toilets, Friars Road, Nells Point, Barry Island	Change of use to the existing building to provide a restaurant (use Class A3), including commercial space and ancillary works.
2022/01113/1/NMA	A	Land at Lower Cosmeston Farm, Lavernock, Penarth	Non Material Amendments - An Amendment to external elevations (louvres, canopies, materials), roof (solar panels), and the landscape layout, as informally discussed. For planning permission ref: 2022/01113/RG3 - Proposed new specialised school and associated access, landscape, and engineering works

2023/00002/DNS/2/ CD	A	Land off Five Mile Lane, Bonvilston, Vale of Glamorgan (DNS/3245503)	Discharge of Condition 8. (Archaeological Works) for planning ref 2023/00002/DNS - Proposed development of a ground mounted photo voltaic solar farm and battery energy storage with associated equipment, infrastructure, grid connection and ancillary work
2023/00430/1/NMA	A	Land to the north of Hayes Road, Sully	Non Material Amendment - An amendment to the rewording of Condition 5 Delete Condition 6 and 7, for planning ref 2023/00430/FUL - Proposed change of use of land for caravan/motorhome storage and self-storage containers (Class B8) and associated works
2023/00441/1/NMA	A	Rhws Junior And Infants School, Fontygary Road, Rhoose	Non Material Amendment - An amendment to re- positioning of the 4 replacement trees elsewhere within the school grounds. For planning ref 2023/00441/FUL - Single storey canteen building with dining room and kitchen

2023/00826/2/CD	A	Darren Farm, Westgate, Cowbridge	Discharge of Condition 7.(Retaining Structures) for planning application ref 2023/00826/FUL - Redevelopment of site incorporating the erection of a Class B1 office building and a retirement living scheme for older people with communal lounge, refuse, guest suite, electric buggy, and house manager accommodation. Associated car parking with electric charging points, cycle storage realigned vehicular access, substation, retaining walls, sustainable drainage and landscaped grounds.
2024/00565/FUL	A	South Wales Police, Police Station, Westgate, Cowbridge	Conversion of the former Cowbridge Police Station into over 55's affordable residential apartments, alongside the demolition and re-development of the former Magistrates Courts into over 55's affordable residential apartments including amenity space, parking, and associated works.
2024/00591/1/NMA	A	27 Barberry Rise, Cogan, Penarth	Non Material Amendment - An amendment to add 3 additional windows, for planning ref 2024/00591/FUL - Proposed Single Storey Front Extension

2024/00716/FUL	R	6 Wimbourne Close, Llantwit Major	Rebuild rear dormer Lower from ridge line and set in from boundaries. Removal of 1st floor flat roof from rear extension, lowering the eaves and replacing with a pitched roof.
2024/00852/FUL	A	Nationwide Building Society, 136 Holton Road, Barry	Installation of rear galvanised palisade gates/fence for security purposes
2024/00919/FUL	A	Broughton & Sunnybank Cottage, Chapel Road, Broughton, Vale Of Glamorgan	Demolition of rear conservatory and the south facing roofs to Broughton Cottage and rebuild the first floor on top of the existing ground floor 1980's extension. Partial demolition of previous extension to Sunnybank Cottage and a first-floor extension on top of the existing ground floor 1980's extension.
2024/00931/FUL	A	20, Porthkerry Road, Barry	Take down the existing outbuilding and replace with a smaller outbuilding.
2024/00939/FUL	R	5, Cawley Place, Barry	Proposed Granny Annex in the rear garden
2024/00940/FUL	A	14 Birch Grove, Barry	Proposed rear single storey extension to replace existing extension and conservatory
2024/00963/FUL	A	Oak House, 17 Upper Cosmeston Farm, Penarth	Replace existing open porch with an enlarged enclosed porch
2024/00977/FUL	A	19 Thaw Close, Fontygary, Rhoose	Single storey side extension and changes to fenestration

2024/01043/FUL	A	7, Paget Road, Barry	To change the use from an existing two bedroom apartment to A3 use, which will extend an existing A3 use (Bar Enzo) to ground and lower ground levels, also the installation of a new shop front.
2024/01060/FUL	A	6 Penyrheol Terrace, Llantwit Major Road, Llysworney	Demolition of existing lean-to extensions and new two storey side/ rear extension and porch
2024/01083/1/NMA	A	Oddfellows Lodge, Lane - Junction Water Street At Broughton To Penycae Farm, Monknash	Non Material Amendment - An amendment to Information provided for replacement windows aligned to discussions with VOGC, for planning ref 2024/01083/FUL- Alterations to include replacement of defective glazed link structure & box profile roof for new solid roof with small extension into courtyard to increase new kitchen / dining area. Replacement of existing Sash Windows
2024/01108/FUL	A	Penuchadre Farm, Wick Road, St Brides Major	Above ground circular nutrient store to comply with The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021
2024/01121/FUL	A	20 Heol Y Dryw, Rhoose	Replace existing conservatory with extension on same footprint. Increase size of raised patio with pergola over. Juliet balcony to first floor rear elevation and alterations to second floor balcony.

2024/01143/FUL	A	20, Westward Rise, Barry	2 storey extension to rear, front porch and small side extension
2024/01173/CAC	A	Maes Yr Haf, Church Street, Llysworney	Demolition of existing sub-standard dwelling
2024/01195/FUL	A	3, The Precinct, Boverton Road, Llantwit Major	1. Change of use to a nail salon business. 2. Create a new window for front side of the first floor 3. Signage for the business shop
2024/01196/ADV	A	3, The Precinct, Boverton Road, Llantwit Major	Proposed signage for the business shop
2024/01197/FUL	A	Cafe No.1, 150A Holton Road, Barry	Converting the Current Cafe at the first & Second floors into 4 Bed Flat, for Renting Purpose.
2024/01202/FUL	A	Tymaen Farm, Cobbles Kitchen And Deli, Ogmore	Replacement of existing Wooden Cabin for A3 use in conjunction with adjacent Fish and Chip Shed
2024/01213/FUL	A	4, Bowman's Well, Cowbridge	Proposed Single Storey rear extension
2024/01215/FUL	A	30, The Parade, Barry	Partially demolish existing single storey structures and construct rear and side single storey wrap around extension, take down rear outbuilding structure and replace with new proposed rear single storey outbuilding structure, all with associated external works including new boundary enclosure walls to the rear curtilage.
2024/01234/LAW	A	16A, Field View Road, Barry	Single storey side extension

2025/00003/FUL	A	35, Westbourne Road, Penarth	Replacement of 20 windows to high grade hardwood double glazed sash windows. New windows to be exact like for like with the benefits of double glazed insulation and sound proofing.
2025/00007/LAW	A	28, Blenheim Close, Barry	Erection of a single storey side extension within the permitted development rights for extensions to a single dwelling house. Proposal includes Velux skylight to pitched roof, new rear access and one window to the front elevation. All materials to match existing.
2025/00013/FUL	A	The Maltings, Water Street, Broughton	Single storey rear extension, garage conversion with alterations to front access and associated works.
2025/00015/FUL	R	Plot of land 230 metres west of Picketston, Llanmaes	Change of use of an agricultural field to secure dog walking field, to conduct dog walking and dog day care business from
2025/00027/FUL	A	Rockside, Station Road, Dinas Powys	Proposed single storey rear extension to form dining and utility room
2025/00043/FUL	A	16, Timbers Green, Llangan	Conversion of double garage to storage and garden room
2025/00046/FUL	A	39, Barons Close, Llantwit Major	Two-storey side extension

2025/00054/FUL	A	14 Plas Glen Rosa, Penarth	Steel and glass balconies to West and East facing elevations
2025/00063/FUL	A	38, Greenacres, Barry	Single storey extension to side elevation of existing domestic dwellinghouse
2025/00084/FUL	A	16, Plassey Square, Penarth	Proposed single storey rear kitchen extension
2025/00103/RG3	A	Porthkerry Country Park, Porthkerry Park Road, Porthkerry Park, Barry	Installation of a Cairns perimeter beam shade canopy as part of the entrance improvements. Associated works include 'General Permitted Developments' such as new porous paving, porous tarmac, screen fencing and associated site furniture and signage
2025/00106/FUL	R	Land adjacent to, Station Terrace, Station Road East, Wenvoe	Proposed construction of a berm house and associated development thereto.
2025/00153/LAW	A	4 Charter Avenue, Barry	Conversion of existing garage to include internal and external alterations. Refurbishment of existing driveway.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **APRIL 10, 2025**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(a) Delegated Powers

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved

R - Refused

E Split Decision

2024/00560/TPO	A	Grove Cottage, Sigingstone	Work to tree covered by TPO No.57 of 1973: Removal of Multi stemmed Sycamore tree in garden.
2025/00035/TPO	R	10, Maillard's Haven, Penarth	Work to Tree(s) covered by Tree Preservation Order No.1, 1988: Sycamore , rear - Fell to ground level and treat stump. Stump from Sycamore, rear garden - Grind out stump to 12-18" below ground, backfill holes with arisings
2025/00037/TCA	A	Holmlea, 10, Bradford Place, Penarth	Work to Tree(s) in a Conservation Area: Removal of 3 Leyland cypress to ground level and the planting of 3 suitable replacement trees, the trees are located along the western garden boundary wall of the property

2025/00055/TPO	A	The Lindens, 6 Bradford Place, Penarth	Work to tree in a Conservation Area: 1x Atlas Cedar located at front of property - Reduce heavily end loaded branches by approx 2 metres
2025/00057/TCA	A	Sycamore House, Llancadle	Work to Tree in a Conservation Area: T1 - Leylandii (conifer) - 50% crown reduction
2025/00102/TPO	A	23, Maillard's Haven, Penarth	Work to Tree(s) covered by Tree Preservation Order No.1 1988: 2 X Lime trees - reduced crown 2-3 m back to previous cuts. 1 x Prunus - reduce and shape crown 1 m
2025/00138/TCA	A	All Saints Church, Victoria Square, Penarth	Work to tree in a Conservation Area: Common Oak Tree - Removal of one limb
2025/00206/TCA	A	Alexandra Park, The Lodge, Beach Road, Penarth	Work to Tree(s) in a Conservation Area: Removal of two fir trees in the side garden of the property with stumps ground out and new trees planted in their place. A third fir tree beside them has died and we have permission to remove the dead tree and would like to remove the other two and replace with more delicate trees for the benefit of us and our neighbours. We previously had permission granted (decision notice 202200811TCA) but did not get them removed before it expired.

2025/00209/TCA

A Lane off Tredogan Road,
Tredogan Road, Penmark

Work to Tree(s) in a
Conservation Area:
Sycamore trees to be
removed growing around
and into the boundary wall
with the church

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **20 APRIL 2025**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

6. PLANNING APPLICATIONS

Background Papers

The following reports are based upon the contents of the Planning Application files up to the date of dispatch of the agenda and reports.

2024/01104/FUL Received on 25 November 2024

APPLICANT: Erica Chapman Overoak House, Pen-y-Turnpike Road, Dinas Powys, CF64 4HG

AGENT: Gwilym Powys Jones 17 Yorath Road, Cardiff, CF14 1QB

Land south of The Westra, Dinas Powys

Proposed erection of stables and creation of ménage

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Councils approved scheme of delegation due to the planning application having been called in for determination by Cllr Marianne Cowpe as many residents have raised concerns on the grounds of land ownership, impact to the public right of way, visual impact and impact to the adopted highway.

EXECUTIVE SUMMARY

The application site relates to an agricultural field and access that is located to the south of the Westra and west of Dinas Powys. The field is some 2.93 ha. This is a full planning application for the construction of a stable block, ménage and hardstanding area in association with a commercial equestrian breeding business.

The key issues to consider in the determination of this planning application include the principle of development given the location within the countryside, design and visual impact, impact to neighbouring amenity, highway safety, ecology, drainage, archaeology, impact to the public right of way and green infrastructure and biodiversity enhancement.

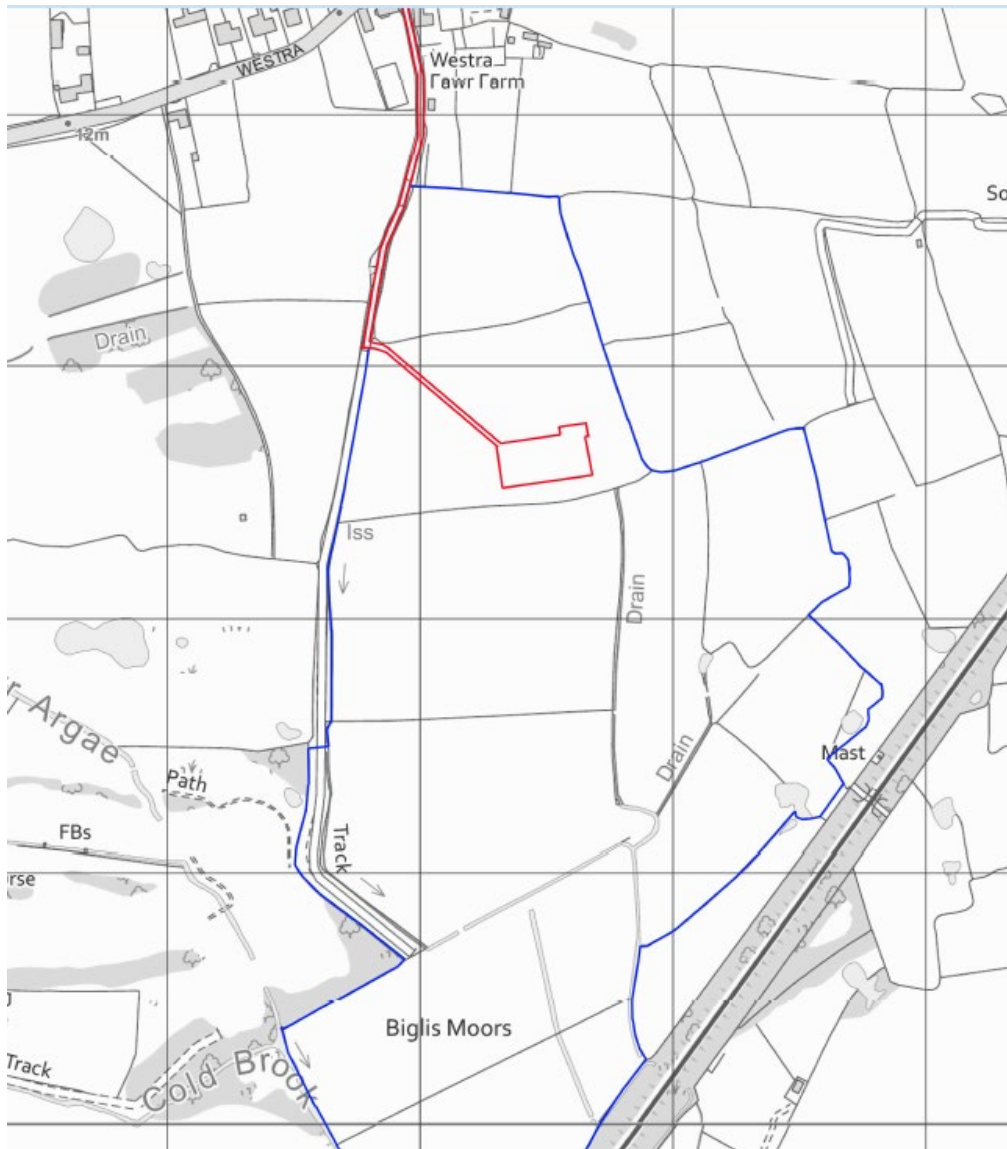
To date, an objection has been raised by Dinas Powys Community Council, Cllr Marianne Cowpe and two letters of objection have been made by neighbouring properties. The concerns raised relate to the size of the proposed building, the impact upon the adopted highway, requirement of services to the site, land ownership of the access lane, impact to the public right of way, pedestrian safety and the existing use of the access lane.

Notwithstanding the representations received, the development is considered acceptable in regards to the principle of development, visual impact upon the countryside, trees and landscaping, neighbouring amenity, highway safety, ecology, drainage and flood risk, archaeology, and green infrastructure and biodiversity.

The application is recommended for approval, subject to conditions.

SITE AND CONTEXT

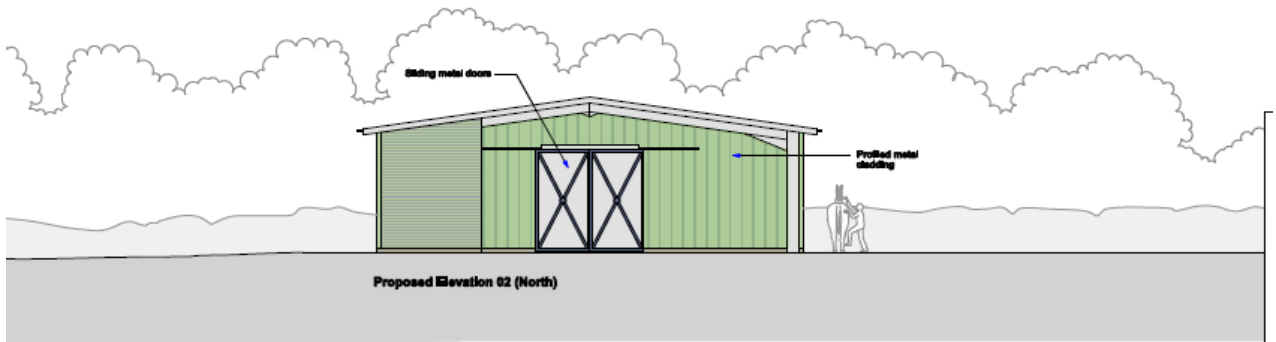
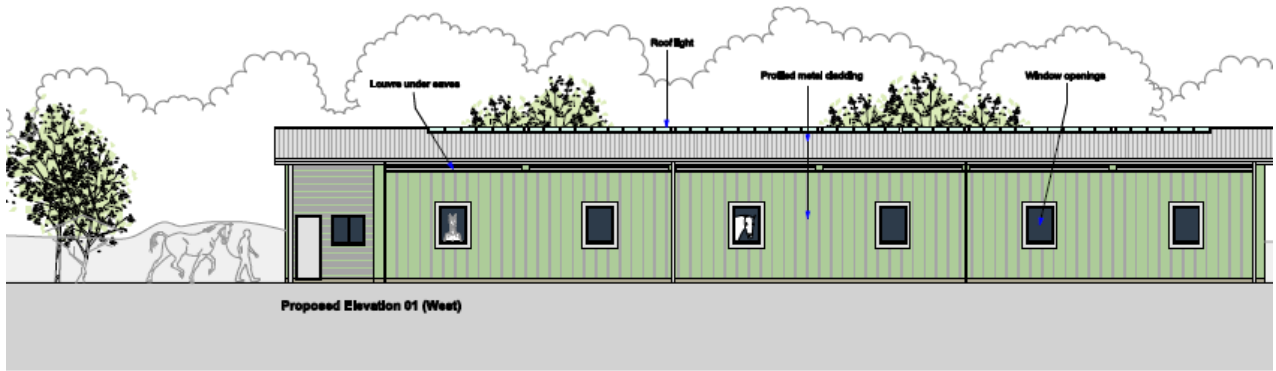
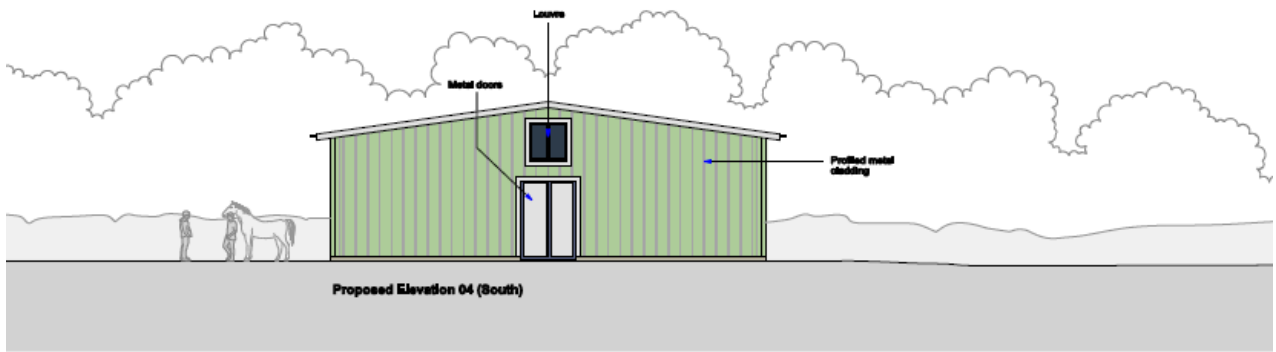
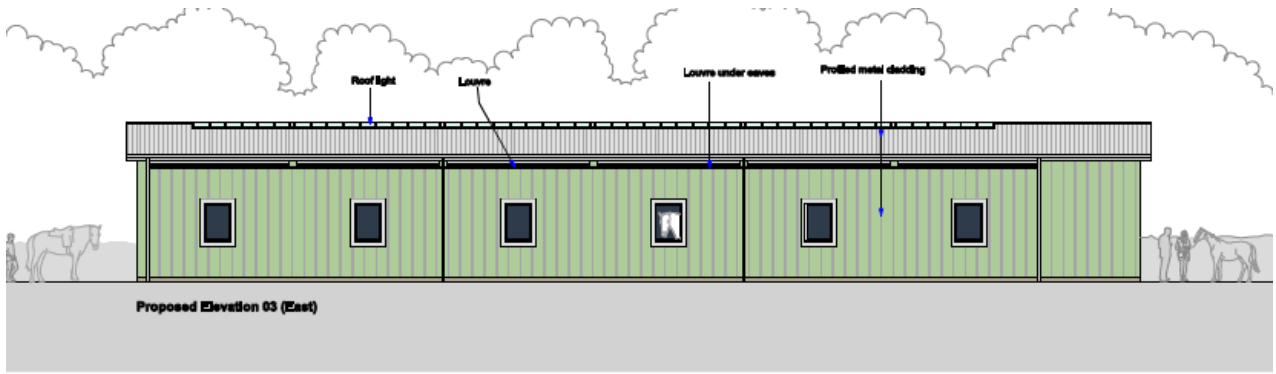
The application site relates to an agricultural field and associated access that is located to the south of the Westra and west of Dinas Powys. The field is some 2.93 ha. The site is diagonally intersected by a Public Right of Way S1/13/1 and parts of the site are also identified as having potential for Great Crested Newts. The site is also identified as being likely to be subject to surface water flooding. The southwest corner of the site is shown to fall within an area safeguard for Sand and Gravel. The site has a predicted agricultural land classification 3b.

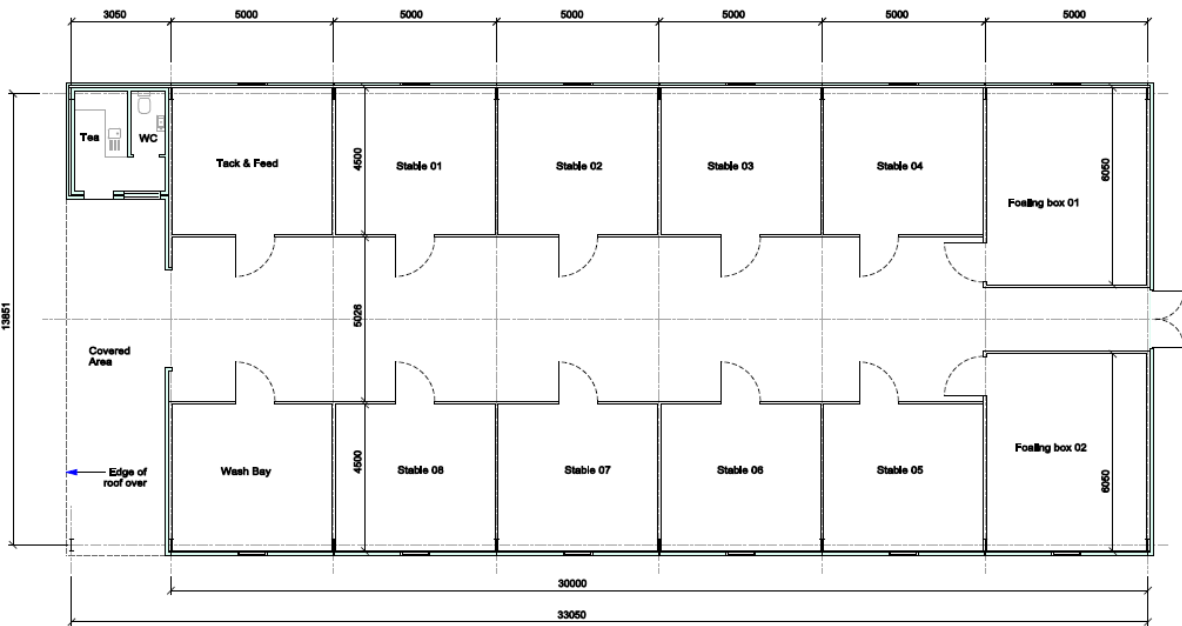
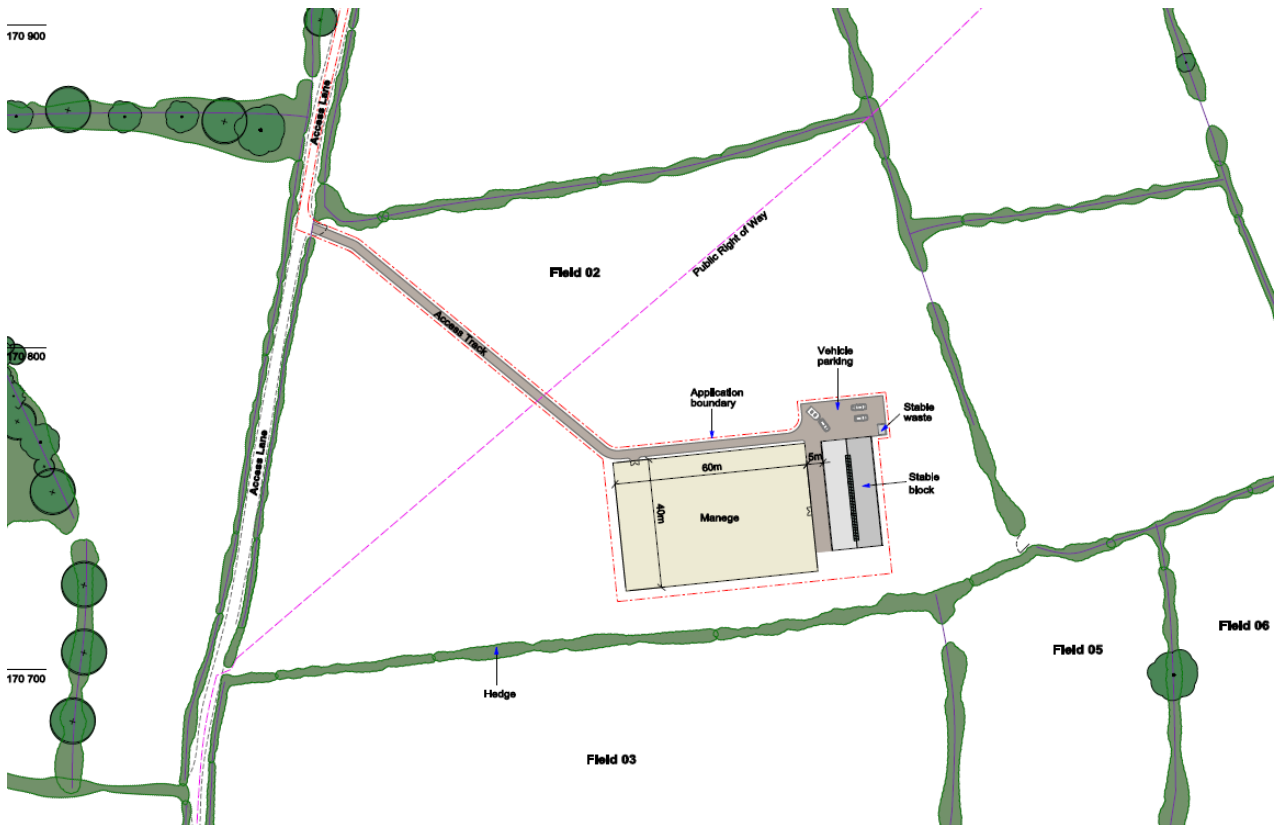


DESCRIPTION OF DEVELOPMENT

This is a full planning application for the construction of a stable block and ménage exercise area and associated access track and vehicle parking. The stable block would accommodate 8no. stable stalls, 2no. foaling pens, a feed/tack store and a wash down area, with a W/C and kitchenette, with a total footprint of circa 450 sq m. The building would have a width of 14m, depth of 35m, an eaves height of 4.1m and ridge height of 5.2m. It would be finished in profiled metal cladding, finished in green and grey.

The ménage would measure 60m in depth and 40m in width, and would be surfaced in soft sand. The ménage would be enclosed by an unpainted 1.5m high timber post and rail.





PLANNING HISTORY

1986/00550/FUL, Address: Little Westra, Westra, Dinas Powys, Proposal: Extension to rear of building/conservatory, Decision: Approved

1996/01039/FUL, Address: Little Westra, Westra, Dinas Powys, Proposal: Single storey, utility room/lobby extension, Decision: Approved

CONSULTATIONS

Dinas Powys Community Council were consulted on 9 December 2024 and responded raising an objection to the scheme on the following reasons:

- 1. The Council looked at the drawing in more detail, this proposal is for an outgoing business, i.e., A stud farm. The proposed building is more akin to something found on an industrial estate, it is approx. 33m x 14m x 6m high, clad in profiled steel sheeting. It houses 8 nr stables, 2 number foaling boxes, tack & feed room, wash bay and a rest room.*
- 2. The proposal would attract a considerable increase in traffic both during and after construction, which could involve surfacing and possibly widening this narrow lane. Also, mains water, electricity, proper sewerage, and C.C.T.V. would have to be provided. Also, to run this business properly, there would have to be someone on site 24/7.*
- 3. The ownership of this lane appears to be unproven, although the applicant in the past has illegally blocked the northern end with a five-bar gate.*
- 4. According to the ecological survey, the area is described as marshy grassland. It is on the edge of a designated floodplain and, according to local knowledge, is underwater during periods of intense rain.*
- 5. Finally, as I am sure the local authority is aware, there is a PROW across the proposed site (footpath 13) that they should ensure is maintained at all times.*

The Council's Highway Authority were consulted on 9 December 2024, and following discussions with the Highway Authority, the following comments have been received:

The Highway Authority have reviewed the application and would advise the Planning Authority that the proposed point of access off the Westa is a private single track with localised widening at the entrance to provide suitable access for two vehicles to pass with further areas along the route.

No Highway objections would be raised to the proposals. However, further passing bays along the private access road would be of benefit.

Public Rights of Way Officer was consulted on 9 December 2024 and responded with the following:

Public Right of Way No.13 St. Andrews Major (status – Footpath) crosses diagonally through the field of the proposed works. The path must be kept open and available for safe use by the public at all times.

No barriers, structures or any other obstructions should be placed across the legal alignment of the path. Please ensure your builders and delivery drivers are aware that members of the public might be crossing the site.

No adverse effect should result to the path, the applicant should ensure that materials are not stored on the path and that any damage to the surface as a result of the development is made good at their own expense.

Should the Public Right of Way require temporary closure to assist in facilitating works an order should be sought under the Road Traffic Regulation Act 1984. Temporary closure should not be sought in order to allow construction of permanent obstructions.

The Councils Drainage Section were consulted on 9 December 2024 and responded stating the following:

This site is located within DAM Zone A which is not considered to be at risk to fluvial and coastal / tidal flooding. NRW flood maps (TAN15 2004) indicate that the sections of this site intending to be developed are at a very low risk of surface water flooding – the southern section of the existing access lane is at a high risk of surface water flooding

This application is subject to SAB approval prior to any commencement of work. As such a detailed design for the surface water drainage will be required to be submitted through the SAB process.

Further guidance can be found in Welsh Government Notice WG42458 – SAB applications for agriculture buildings, coverings and clean yards.

Shared Regulatory Services (Pollution) were consulted on 9 December 2024 and to date, no comments have been received.

Heneb, The Trust for Welsh Archaeology (GGAT) were consulted on 9 December 2024 and confirmed that the proposal will require archaeological mitigation, and responded stating the following:

The information in the Historic Environment Record (HER) shows that whilst there are no recorded sites located within the application area, there are a substantial number of archaeological sites, ranging from Roman to medieval periods, within the immediate vicinity of the application area. These include Dinas Powys Common to the northeast, which contains an extensive system of field boundaries and where there are also the remains of a Romano British farmstead, a Scheduled Monument (GM431). The remains consist of a settlement dating to the 2nd and 3rd centuries AD. Earthwork banks suggest a sub-rectangular enclosure (possibly the site of a dwelling), along with associated field banks. Also, to the east of the application area is Southra Farm; a medieval earthwork with remains of two farmsteads comprising of eight enclosures, some of them containing long huts. Furthermore, to the immediate north of the application area is a record for medieval lynchets (Westra Fawr Infield), and to the southwest a medieval Deserted Rural Settlement and a medieval Holloway. To the south is Post-medieval Biglis Moors Field System.

As a result, given the nature of the archaeological resource of the area, there is a high possibility that archaeological remains may be encountered during any ground works associated with the proposed development, this includes any site clearance and/or preparatory works.

Therefore, it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for the programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

Dwr Cymru Welsh Water were consulted on 9 December 2024 and responded with the following:

Firstly, we would advise that the proposed development site is crossed by public sewers with their approximate positions being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the planning application submission package, we note the development does not propose to communicate to the public sewerage system and the development would be situated outside the protection zone of the sewers, measured 3 metres either side of the centreline.

The Council's Ecology Officer was consulted on 9 December 2024 and to date, no comments have been received.

Natural Resources Wales ('NRW') were consulted and following discussion and clarifications responded with the following:

In respect of Great Crested Newts, we advise that the development is taken forward as set out in the recommendations of the submitted report.

In respect of Bats, Section 5.1 of the PEA states *that 'Multiple trees surveyed were noted to have PRF's at the time of survey. It not believed that the works will result in the loss of trees, severance of habitat or installation of artificial light, as a result impact on bats in considered negligible.'* We therefore have no adverse comments to make on the application as submitted in regard to Bats

In respect of manure management, We advise the applicant follow good practice in line with The Water Resources (Control of Agricultural Pollution Regulations) 2021.

In respect of vehicular parking, the applicant confirmed that the vehicle parking area will be built in permeable materials. We therefore have no further concerns regarding this matter.

In respect of foul drainage, the proposed method of foul drainage a new cesspit/cesspool.

Within the "Approach to Groundwater Protection" guidance (issued by the Environment Agency in 2018 and adopted by Natural Resources Wales), Position Statement G6 states "Natural Resources Wales does not encourage the use of cesspools or cesspits, other than in exceptional circumstances. A cesspool or cesspit is a sealed unit that is used for the storage of untreated sewage. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can be difficult to monitor and correct". Given the highly sensitive nature of the site we have concerns regarding the use of a cesspool / cesspit.

In addition, new developments proposing to use private drainage should follow the hierarchy within the Welsh Government Circular 008/2018 (July 2018). The Circular stresses the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. The use of cesspools/cesspits is discouraged. We refer you to paragraphs 2.3-2.8 in the Circular, which set out the approach to be followed.

The applicant should therefore demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018). Otherwise, we would object to the application.

In exceptional circumstances, where a cesspool/cesspit can be justified, the Circular advises that a full and detailed consideration be given to the environmental criteria listed under paragraph 2.6.

It is essential that any cesspit is installed correctly. Incorrectly maintained cesspools can cause pollution by contamination of the ground, groundwater and, sometimes surface water. Any damage to the fabric of the cesspool, such as cracks or holes, is difficult to detect but needs to be rectified immediately in order to prevent pollution. The cesspit should meet the requirement of British Standard BS 6297. It should be fitted with a level warning device to indicate when the tank needs emptying.

However, in this case the location appears to be upstream from licensed abstractions and therefore a septic tank would not be suitable due to the risk of impacting groundwater and subsequently said abstractions.

We welcome the level sensor attachment to ensure sufficient emptying.

Please note that regular maintenance is essential to prevent accidental seepage through cracks and wear and tear.

Contaminated Land, Air & Water Quality were consulted on 9 December 2024 and to date, no comments have been received.

The Open Spaces Society were consulted on 9 December 2024 and to date, no comments have been received.

Dinas Powys Ward Members were consulted on 9 December 2024 and Cllr Cowpe has called in the application for determination by Planning Committee, as many residents have raised concerns on the grounds of the following:

- *The lane was not included within the sales particulars and its is unclear who owns the lane.*
- *Large gate should be relocated back to entrance of fields owned by applicant/boundary of land ownership*
- *I'm mindful of the report from the PROW team, but in the past the public have been denied access along the diagonal path to the style in the field where the stables are planned. Footpaths must be clearly marked and protected at all times.*
- *The owner should ensure appropriate access to the public footpaths particularly from the style where the path joins the one around the golf course to the style on the way to Southra farm. This is especially important if horses are in these field.*
- *I feel the stables should go closer to the hedge near the entrance of that field - I'm not clear why they have to be right out in the open in close proximity to the public footpath. I notice also there are places for foals so perhaps horses would not like to be disturbed when giving birth by having public nearby? Not sure if this is a risk to the horses or the public.*

- *My understanding is that the hedges are the boundaries of the ownership of this land and the extension of the lane from Westra down to where the footpaths joins are not part of the owners' land and the applicant should have no jurisdiction over that lane.*
- *There are public sewers in that field some of which the routes are not known according to the attached report, what danger is there to damaging the public sewers?*
- *The access lane is not owned by the applicant the amount of traffic in and out would not be conducive to the Lane or to Westra Road itself. The gate on Westra Lane must be moved to the entrance of the owners fields.*
- *Not all houses in Westra Lane have been informed about this application yet were it to go through the effect on amount of traffic and size of vehicles would be considerable.*
- *There needs to be clarification of ownership of the lane beyond the hedge boundaries of the owners fields, if ownership is not known then it certainly does not belong to the applicant*

REPRESENTATIONS

The neighbouring properties were consulted on 9 December 2024 and a site notice was also displayed on 16 December 2024. In addition, the application was also advertised in the press on 26 December 2024 and to date, two letters of objection have been received from the occupiers of Westra Fawr Farm and Westra and Ty Celyn, Westra, with a summary of the comments below:

- Not on list of consultees
- Industrial scale business which would increase traffic on Westra Road
- Mains water/sewerage/electricity/surveillance all necessary to the site
- Site ownership to the northern end of the lane is unproven and no other access to the site, residents will be inconvenienced before during and after construction
- Green belt land
- Site becomes flooded under intense rain
- Access lane is unregistered
- Access lane used by local community until gate was installed, blocking historic walking access
- Adjoining residents had access onto track
- Poor visibility when joining Westra
- No pavement on Westra
- Danger to pedestrians on the Westra
- Large vehicles would increase hazards to traffic on Westra

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy

POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG20 – Nationally Protected Sites and Species

POLICY MG22 – Development in Minerals Safeguarding Areas

Managing Development Policies:

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD7 - Environmental Protection

POLICY MD9 - Promoting Biodiversity

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

Chapter 4: Strategic and Spatial Choices: Future Wales' Spatial Strategy

- Guiding framework for where large-scale change and nationally important developments will be focussed over the next 20 years.
- Strategy builds on existing strengths and advantages and encourages sustainable and efficient patterns of development.

Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.
- In the absence of SDPs, development management process needs to demonstrate how Future Wales' regional policies have been taken into account.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 12, February 2024) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places

Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)
- Recognising the Environmental Qualities of Places (water and flood risk, air quality and soundscape, lighting, unlocking potential by taking a de-risking approach)

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12 – Design (2016)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Biodiversity and Development (2018)
- Design in the Landscape
- Minerals Safeguarding (2018)

- Parking Standards (2019)
- Trees, Woodlands, Hedgerows and Development (2025)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Equality Act 2010

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the preparation of this report.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

In assessing the proposal against the above policies and guidance, it is considered that the principal issues in the assessment of this application include the principle of the development and its visual impact on the surrounding rural area, the impact on neighbouring residential amenity and highway safety. The impact on mineral safeguarding matters, drainage, impact to the public right of way and ecology will also be assessed, along with the provision of biodiversity enhancement features and impact upon green infrastructure.

Principle of development

The site lies outside of any defined settlement boundary as identified within the Council's adopted Local Development Plan (2011-2026). For planning purposes therefore, the site is outside of any recognised settlement, and Policies MD1 (Location of New Development) and MD2 (Design of New Development) would be of primary relevance.

Policy MD1 seeks to only allow development outside of settlements that would have no unacceptable impact upon the countryside or the best and most versatile agricultural land. Policy MD2 requires new development to respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density. The site is located outside any settlement boundary and in a countryside location. However, stables are developments that would be expected to be located in the countryside and can be acceptable in principle, subject to complying with other policies.

The application proposes a commercial business comprising of the breeding of Welsh Section D cob horses, with the proposed ménage and stables used in association with the business.

The site currently has no other buildings which could be utilised, therefore there is no possibility of using previously developed land or buildings. Consequently, in order to ensure that the development is necessary, particularly when there is no apparent existing equine use on the land, justification of the need for a stable building is required.

The application has been supported by a design and access statement and business plan, which outlines that the land extends to 60 acres of permanent pasture and currently contains no agricultural buildings. The design and access statement notes that the applicants twelve horses are currently scattered across four different locations, however the proposal would consolidate the horses under one stable block. Accordingly, given that the applicant has twelve existing horses, and the application has been supported by what appears to be a sound business plan, as well as no alternative buildings which could be utilised on the site or wider small holding, it is considered that the proposal is justified, and would be compliant with Policy MD1 of the LDP.

In terms of agricultural land, there is a presumption against development that impacts upon the best and most versatile agricultural land. The Councils records indicate that the site is grade 3b land and as such, the proposal is considered acceptable in respect of its impact upon agricultural land.

Design and Visual Impact

As aforementioned, Policy MD2 (Design of New Development) requires that development proposals should be of a high standard of design that positively contribute to the context and character of the surrounding natural and built environment and protect existing features of townscape or landscape interest. It is noted that the site falls outside any Special Landscape Area.

Having regards to the layout of the stable block and ménage, the stables would be located within the south-eastern corner of the field. The stable block would be linear in its form, and has the appearance of an agricultural building, as opposed to more typical, (smaller) stables which are timber. However, the development relates to a commercial enterprise, and not a typical domestic sized development and therefore, the needs arising from the commercial use is greater than domestic and recreational stabling of horses in terms of the form and design of the building.

Whilst the proposed footprint of the stable block is approximately 450 sq m and ridge height of approximately 5.2m, the application has been supported by a business plan and its size is considered justified for the stated commercial purpose and would not represent an oversized form of development. The hardstanding and apron around the building is considered to be of an appropriate size for the size of the proposed commercial business.

In respect of the proposed ménage, ménages have, for practical purposes, a large footprint and so can be prominent features within the landscape, despite their low-lying nature.

In terms of design, the proposed ménage will measure 60m x 40m. It has a simple traditional form and would be constructed in sand, which is considered suitable for its countryside location. The ménage will be enclosed by an unpainted 1.5m high timber post and rail which will have a limited impact on the wider rural landscape.

With regards to the impact upon the wider countryside, the site is located in excess of 380m from the adopted highway to the north and therefore would have no unacceptable visual impact from public vantage points on the Westra. However, the site is dissected by a Public Right of Way. Whilst the stable block would undoubtedly be highly visible from this section of the PRow, the form of development is one that is expected in countryside locations, and whilst it is not inconsequential in terms of its footprint, it has a modest eaves height and would therefore not result in an incongruous addition to the field.

Overall, it is considered that the access track, hardstanding area, building and ménage would not have an unacceptable impact on the character of the countryside and the visual amenities of the wider area, given that the development proposed building is akin to a typical agricultural building which is commonly found in such locations. Therefore, the proposal would be compliant with the requirements of policies MD1 and MD2 of the Adopted Local Development Plan 2011-2026.

Impact on Neighbouring Amenity

Criterion 8 of Policy MD2 outlines that development proposals should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance.

The proposed stable block is sited approximately 360m to the south from the closest residential dwelling, therefore the proposal would have no impacts to neighbouring amenity in respect of overshadowing, loss of outlook, privacy and noise. In addition, no flood lights are proposed to the ménage, and the potential light pollution from the stable block would have no impact to neighbouring amenity. Consequently, the proposal is considered compliant with criterion 8 of Policy MD2 of the Adopted LDP.

Highways and Access

Criterion 5 of Policy MD2 of the LDP requires developments to meet the Council's standards to provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users on amenity and space, access, car parking and servicing.

The proposal is to be served by an existing access track, accessed via the Westra, and whilst the ownership of the upper part of the access track is unknown, a formal right of way to use to the track is in place.

The track has been used for an agricultural access by farmers/tenants of the land either side of the track historically, however more recently, the agricultural activities have been limited, and largely confined to hay making, involving the seasonal use of the track by large vehicles to carry bales, and tractors/machinery on a seasonal basis. Machinery would also have been used to maintain the land and hedges, as identified within the accompanying transport note.

The applicant's horses are currently kept on four different sites and are rotated between sites, as these are of an insufficient size to effect proper pasture management, especially in winter. The horses accordingly have to be moved around regularly via a four tonne horsebox, which amounts to 3-4 times weekly by the horsebox per month.

However, the need to rotate the horses would cease following construction of the building as the land is of a sufficient size to keep the applicants' horses in the same location. Resultantly, this would significantly reduce the need to move the horses, and traffic to the site would reduce considerably, and the need to use the horsebox would diminish.

The transport statement notes that the only regular movements on a daily basis would be by the applicant in a private car or ATV farming vehicle, which would ordinarily result in two movements per day. In respect of food, this would be readily available on site, and any dietary supplements would be brought on site by the applicant. Occasional veterinary and farrier trips would be limited to 3-4 times per year. Whilst buyers would need access for inspection and delivery, the trips would amount to 3-4 a year.

In light of this, the Councils Highways Development department were consulted on the scheme and responded stating that the proposed point of access off the Westra is a private single track with localised widening at the entrance to provide suitable access for two vehicles to pass with further areas along the route. Resultantly, no highways objections would be raised to the proposals, however further passing bays along the private access road would be beneficial.

The applicant has confirmed that there are access points along the track, however given that the access track is private, and does not form part of the adopted highway, and the access onto the adopted highway is of a sufficient width to allow two vehicles to pass simultaneously, it is not considered that the construction of passing bays would be a necessary requirement in securing planning permission and would be an operational requirement for the business.

Consequently, as a result of the above, the proposal would have no unacceptable impact on public highway safety and would be compliant with Criterion 5 of Policy MD2 of the LDP.

Ecology

Criterion 10 of Policy MD2 requires development to incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscaping features and biodiversity interests.

In policy terms Policies MG19 and MG20 of the LDP are most relevant. Policy MG19 requires development proposals likely to have a significant effect on a European site, when considered alone or in combination with other projects or plans will only be permitted where:

- 1. The proposal is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purpose; or*
- 2. The proposal will not adversely affect the integrity of the site;*
- 3. There is no alternative solution;*
- 4. There are reasons of overriding public interest; and*
- 5. Appropriate compensatory measures are secured*

Policy MG20 states that development proposals which are likely to affect protected species will only be permitted where it is demonstrated that the population range and distribution of the species will not be adversely impacted; there is no suitable alternative to the proposed development; the benefits of the development clearly outweigh the adverse impacts on the protected species and appropriate avoidance, mitigation and compensation measures are provided.

Policy MD9 states that new development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:

1. *The need for the development clearly outweighs the biodiversity value of the site; and*
2. *The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.*

The application has been supported by a Preliminary Ecological Appraisal prepared by Sylvan Ecology, dated September 2024, and a Great Crested Newt survey report, also prepared by Sylvan Ecology and dated September 2024.

The PEA identified any potential ecological constraints within the development site, and identified requirements for any additional ecological surveys needed to determine potential ecological impacts, as well as proposed mitigation measures or compensation for any impacts on the ecological interest of the site, and concluded that provided the recommended mitigation measures are adopted and the recommended Great Crested Newt survey is undertaken, relevant nature conservation legislation will not be contravened, ecological impacts of the development will be reduced to a minimum and ecological issues are not, based upon the available information, anticipated to preclude the sites development.

Following the PEA, a Great Crested Newt survey was undertaken, which concluded that, given that the stable is proposed in an area of suboptimal grassland habitat, and the nearest verified pond is situated 210 meters away from the proposed works, there will be no impact on the ponds or loss of any linear habitat. As such, given the negligible impact on the site, it has been determined that an EPS license will not be required. Instead, the works can be carried out using a mitigation strategy to ensure compliance with relevant guidelines and to mitigate any potential risks.

Natural Resources Wales were consulted on the scheme and responded advising that the development is commenced as set out in the recommendations of the Great Crested Newt survey report and should be included within the approved plan list of the decision notice. In respect of bats, the PEA stated that trees have the potential to support bats, including potential roost features and some trees identified as having potential to support maternity roosts and roost. However, section 5.1 of the report states that *'Multiple trees surveyed were noted to have PRF's at the time of survey. It not believed that the works will result in the loss of trees, severance of habitat or installation of artificial light, as a result impact on bats in considered negligible.'* NRW responded stating that no adverse comments are raised, and given the location of the site, and the limited impact to any trees, habitats or installation of artificial lights, it is not considered that the proposal would have an unacceptable impact upon bats.

The proposal is therefore considered acceptable in respect of Criterion 10 of Policy MD2 and Policies MD9, MG19 and MG20 and would have no unacceptable impact to ecology.

Green Infrastructure and Biodiversity Enhancement

Chapter 6 of Planning Policy Wales Ed.12 states that Green infrastructure is the network of natural and semi natural features, green spaces, rivers and lakes that intersperse and connect places and that the planning system must maximum its contribution to the protection and provision of green infrastructure assets and networks by adopting a strategic and proactive approach to green infrastructure, which is an important way for local authorities to deliver their Section 6 Duty. Consequently, a green infrastructure statement is necessary for all planning applications to describe how green infrastructure has been appropriately incorporated into the proposal and wider application site, and how the quality of the built environment has been enhanced by integrating green infrastructure through the application of the step-wise approach within the statement.

The application has been supported by a green infrastructure statement which details the existing green infrastructure provision on site, the impact of the development on this green infrastructure and the mitigation and enhancements proposed in line with the step wise approach. In respect of green infrastructure enhancements, the planting of native species to the southern boundary hedgerow where the hedgerow appears worn or bare is proposed. This is considered proportionate to the development, and compliant with Chapter 6 of PPW Ed.12 and shall be secured by Condition (**Condition 3** refers)

In respect of biodiversity enhancements, Policy MD9 of the adopted LDP requires all planning applications to include an enhancement to biodiversity. The supporting PEA states that enhancement opportunities can include bat and bird boxes to the building and surrounding trees. However, the location of these has not been included. Therefore, the location of these will be secured by Condition (**Condition 4** refers)

Drainage

In terms of drainage, the area of development would require an application for SAB approval and as such a detailed design for the surface water drainage will be required to be submitted through the SAB process. An informative note detailing this information is recommended if permission is granted.

With regards to foul drainage, this is to be disposed of via a new cesspit/cesspool. NRW were consulted on this, and responded with the following:

Within the “Approach to Groundwater Protection” guidance (issued by the Environment Agency in 2018 and adopted by Natural Resources Wales), Position Statement G6 states “Natural Resources Wales does not encourage the use of cesspools or cesspits, other than in exceptional circumstances. A cesspool or cesspit is a sealed unit that is used for the storage of untreated sewage. There must be no discharge to the environment. Poorly managed cesspools and cesspits present a considerable risk of causing pollution, which can be difficult to monitor and correct”.

In addition, new developments proposing to use private drainage should follow the hierarchy within the Welsh Government Circular 008/2018 (July 2018). The Circular stresses the first presumption must be to provide a system of foul drainage discharging into a public sewer. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. The use of cesspools/cesspits is discouraged. We refer you to paragraphs 2.3-2.8 in the Circular, which set out the approach to be followed.

The applicant should therefore demonstrate how they have followed the hierarchy within the Welsh Government Circular 008/2018 (July 2018). Otherwise, we would object to the application.

In respect of the hierarchy, the agent has provided a supporting email, which has provided justification as to why a cesspit/cesspool is necessary to dispose of foul drainage. With regards to the connection to the public foul system, the nearest connection is at the Westra, however this is a considerable distance from the site, and is at a higher level than the site, and therefore sewage would require pumping. The agent has stated that costs involved would be prohibitive, given the small volume of foul sewage generated, given that this would comprise of a toilet, hand wash basin and point for making hot drinks. In addition, the applicant does not have the right to lay drain/sewer on any of the land between the site and The Westra, and as such, the ability to connect to a foul sewer is not a realistic option on grounds of cost or practicalities. Other options include a septic tank, however NRW has ruled out the suitability of a septic tank since the location appears to be upstream from licensed abstractions and therefore a septic tank would not be suitable due to the risk of impacting groundwater and subsequently said abstractions. It is considered that the same negative criteria would apply to a package treatment plant given that post-treatment the final effluent discharge would need to discharge into local watercourses, upstream from licensed abstractions. Moreover, the costs of installing and maintaining such a system are disproportionate to the level of foul created by the development.

Resultantly, it is considered that a cesspit is the most suitable option for the disposal of foul drainage, and its installation has been justified in respect of the aforementioned hierarchy of drainage, with full consideration given to the environmental criteria listed under paragraph 2.6 of Welsh Government Circular 008/2018 (July 2018), particularly owing to the minor scale of development.

Notwithstanding this, the cesspit should meet the requirement of British Standard BS6297, to ensure that the cesspit is installed correctly and maintained to prevent pollution. This will be secured by condition.

Consequently, as a result of the above, it is considered that the installation of a cesspit has been justified, and given the scale of the proposal, is the most suitable option to dispose of the foul drainage produced by the scheme, subject to full details being submitted by condition (Condition 6 refers).

In respect of the proposed vehicle parking area, the agent has confirmed that this would be finished in permeable materials, which is considered acceptable, and would have no unacceptable impact upon the nearby watercourses and shall be secured by Condition (**Condition 5** refers)

With regards to manure management, the application form states that this would be 'gathered, stored and spread on adjacent agricultural land'. NRW have advised the applicant to follow good practice in line with the Water Resources (Control of Agricultural Pollution Regulations) 2021.

As a result of the above, the scheme would therefore be compliant with criterion 6 of Policy MD1 and Policy MD7 of the adopted LDP.

Public Right of Way

The site is dissected by Public Right of Way (PRoW) No.13 St. Andrews Major. As such, the Council's Public Rights of Way department were consulted on the scheme, and stated that no barriers, structures or any other obstructions should be placed across the legal alignment of the path. In addition, the builders and delivery drivers should be aware that members of the public might be crossing the site.

No adverse effect should result to the path, the applicant should ensure that materials are not stored on the path and that any damage to the surface as a result of the development is made good at their own expense.

Should the Public Right of Way require temporary closure to assist in facilitating works an order should be sought under the Road Traffic Regulation Act 1984. Temporary closure should not be sought in order to allow construction of permanent obstructions.

Archaeology

In respect of archaeology, Heneb were consulted on the scheme and responded stating that the information in the Historic Environment Record (HER) shows that whilst there are no recorded sites located within the application area, there are a substantial number of archaeological sites, ranging from Roman to medieval periods, within the immediate vicinity of the application area. These include Dinas Powys Common to the northeast, which contains an extensive system of field boundaries and where there are also the remains of a Romano British farmstead, a Scheduled Monument (GM431). The remains consist of a settlement dating to the 2nd and 3rd centuries AD. Earthwork banks suggest a sub-rectangular enclosure (possibly the site of a dwelling), along with associated field banks. Also, to the east of the application area is Southra Farm; a medieval earthwork with remains of two farmsteads comprising of eight enclosures, some of them containing long huts. Furthermore, to the immediate north of the application area is a record for medieval lynchets (Westra Fawr Infield), and to the southwest a medieval Deserted Rural Settlement and a medieval Holloway. To the south is Post-medieval Biglis Moors Field System.

As a result, given the nature of the archaeological resource of the area, there is a high possibility that archaeological remains may be encountered during any ground works associated with the proposed development, this includes any site clearance and/or preparatory works.

Resultantly, Heneb have requested the inclusion of a condition requiring the submission of a detailed written scheme of investigation for the programme of archaeological work to protect the archaeological resource. This programme of work should take the form of an archaeological watching brief during the groundworks required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.

Consequently, this will be secured by a suitably worded condition (**Condition 7** refers).

Other Matters

Concerns have been raised in respect of the consultation procedure of the application, however the correct procedure in respect of consultation has been adhered to in line with the requirements of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

Concerns have also been raised in respect of future development, however any future development not covered under permitted development, would require a full planning application to be submitted to the LPA.

Comments also state that the lane has previously been used as a walking path prior to the installation of a gateway, however the track is not part of the public right of way, therefore this is outside of the remit of planning control.

In respect of the ownership of the access lane, Certificate D has been signed, with notice of the application having been published within the Western Mail newspaper on the 20th November 2024. The advertisement was also displayed electronically on Wales Online for 21 days from 20 November 2024. The steps taken by the applicant to ascertain the owner(s) of the northern part of the access track were:

- enquiries of the Land Registry as the land is unregistered
- enquiries made of users of the track, including past and current farm owners and tenants
- enquiries made of local householders, including the occupants/owner of the house at the northern end of the track.

The planning statement states that none of the enquiries proved fruitful, no-one knows who owns the northern section of the access track. Notwithstanding this, the applicant has a right of way along the access track. it should further be noted that land ownership itself is not a material planning consideration and would not form a justified reason to refuse planning permission.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Westra24 Location 1 5000
Proposed Site Plan 568 - P02
Proposed Floorplan 568 - P03
Proposed Elevations 568 - P04
Proposed Elevations 568 - P05
Westra24 Planning Statement
Design and Planning Statement
Highway/Traffic Statement
Sylvan Preliminary Ecology Appraisal Survey Report
Sylvan Great Crested Newt Survey Report
BUSINESS PLAN AND FORECASTS Channel Stud

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. The Green Infrastructure enhancement measures set out in document ref: Green Infrastructure Statement shall be carried out in full within the next available planting season (October 2025 - March 2026) and thereafter retained in accordance with the approved details whilst the development remains in existence. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

4. Prior to the first beneficial use of the development, a Biodiversity Enhancement Strategy addressing enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved strategy and timings set out within and thereafter retained in accordance with the approved details whilst the development remains in existence. The Strategy shall include the following:
 - a) Details of any bird/bat box provision
 - b) Details of any additional ecological enhancements

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

5. Notwithstanding the submitted plans, the internal access and turning/parking area shall be finished in a permeable material.

Reason:

To safeguard the natural environment as required by Policies MD1 (Location of New Development) and Policy MD7 (Environmental Protection) of the Local Development Plan.

6. Prior to its installation on site, full details of the proposed cesspit/cesspool to meet the requirements of British Standard BS 6297 (to be fitted with a level sensor attachment to ensure sufficient emptying) shall be submitted and approved in writing by the Local Planning Authority. The agreed details shall be fully functional prior to the first beneficial use of the WC and Tee room and shall thereafter be so maintained thereafter.

Reason:

To ensure that the cesspit/cesspool is installed and maintained correctly and to ensure compliance with Policies MD1 (Location of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

7. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

REASON FOR RECOMMENDATION

The decision to recommend 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.

Having regard to Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG2 – Mineral Safeguarding, MD1-Location of New Development, MD2-Design of New Development, MD7-Environmental Protection and MD9-Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance on Design in the Landscape; and national guidance contained in Planning Policy Wales, and TAN 12-Design, it is considered that the proposal represents an acceptable form of development in this rural location that will have no significant adverse impact on the character and appearance of the surrounding landscape, nor detract from the general amenities of the area. It would also be acceptable with regards parking and access, ecology, drainage, archaeology, the public right of way, and the impact on biodiversity and green infrastructure.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

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

NOTE:

- 1. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

Further information of the SAB process can be found at our website or by contacting our SAB team: sab@valeofglamorgan.gov.uk

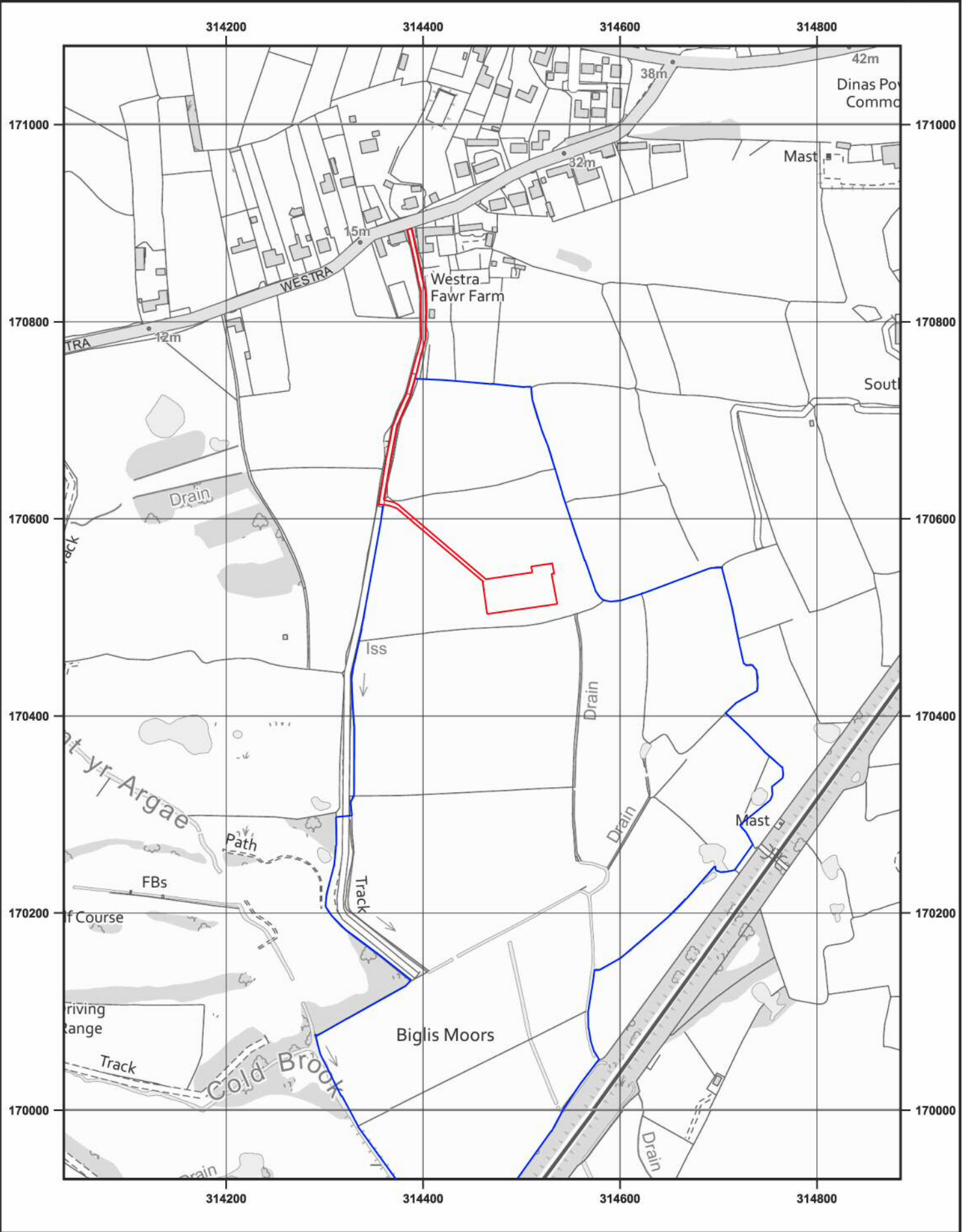
- 2. The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

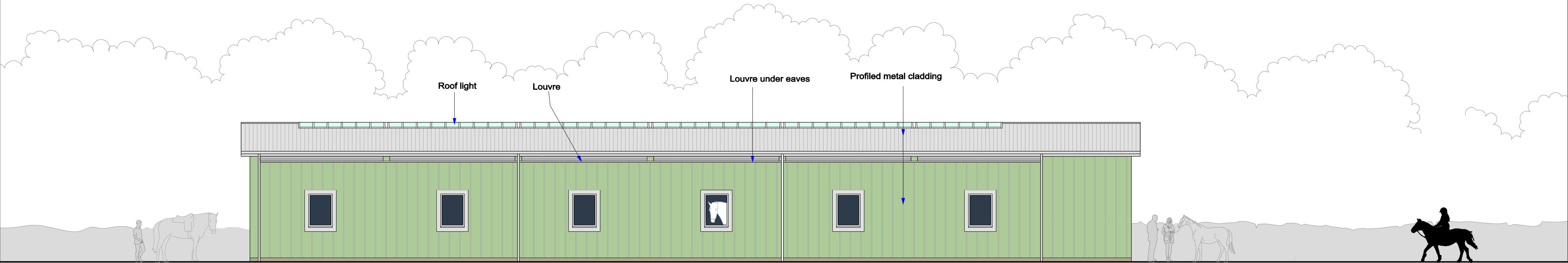
The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

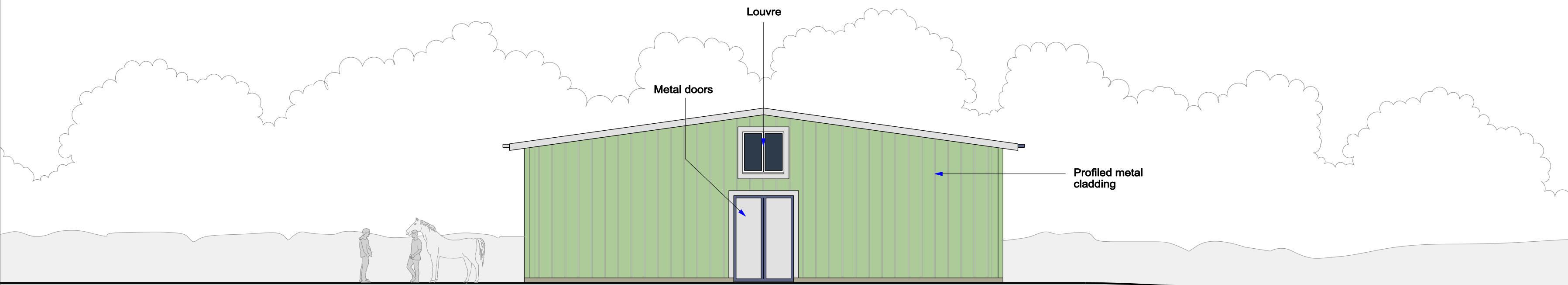


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Proposed Elevation 03 (East)



Proposed Elevation 04 (South)

Richard Whitaker Architects Ltd

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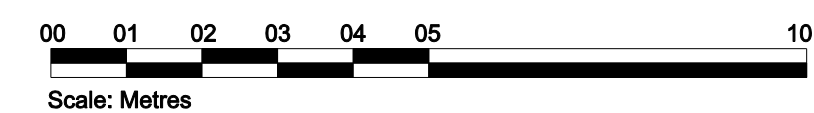
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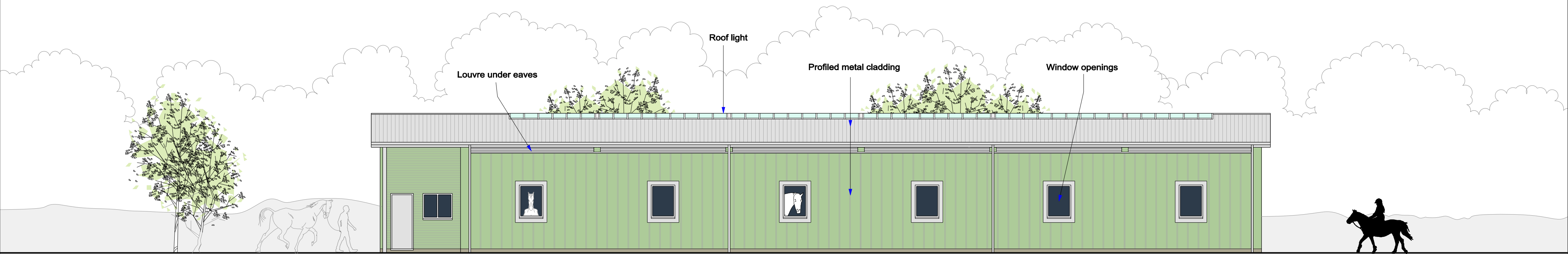
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 (Sheet 02)**

Drawing No: **568 - 05**

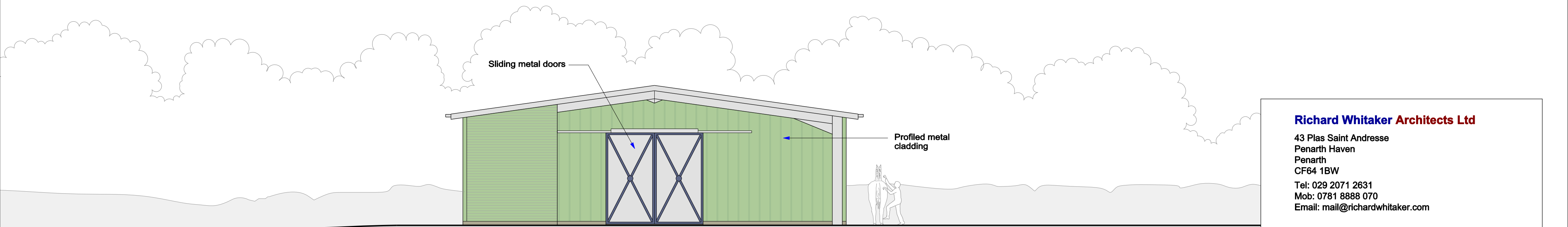
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 1:100 @ A2

Revision:





Proposed Elevation 01 (West)



Proposed Elevation 02 (North)

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Westra, Dinas Powys.**

Title: **Proposed Elevations
(Sheet 01)**

Drawing No: **568 - 04**

Scale:
1:100 @ A2

Revision:



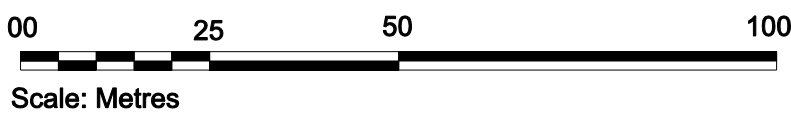


Legend:

- - - - - = Application boundary
- - - - - = Public right of way

Access Tack and Hard Standings:

Permeable surfacing such as gravel on compacted 4/20 Type 3 crushed stone sub base on Geotex membrane.



Proposed Site Plan

Richard Whitaker Architects Ltd
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Site: **Land to South of:
Westra, Dinas Powys.**

Title: **Proposed Site Plan**

Drawing No: **568 - P 02**

Scale: 1:1000 @ A2
 Revision: