

BARRY TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 3 AUGUST 2010 COMMENCING AT 7.00 PM

PRESENT: Councillor K Lewis (Chairperson) plus Councillors S C Egan, H C Hamilton, S A Hodges, K Kuhnell (Town Mayor – ex-officio), L M Payne (Vice-Chairperson), B I Shaw, T C Stenstrom and E T Williams

ALSO PRESENT: Clive Farrant – Planning Adviser
Derek Wolfe – Executive Officer

PL520. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J E Charles and C Turner.

PL521. **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE COUNCIL'S CODE OF CONDUCT**

None.

PL522. **TO APPROVE THE MINUTES OF THE PLANNING COMMITTEE'S MEETING HELD ON 6 JULY 2010**

It was reported that at its meeting on 12 July 2010, the Town Council had asked that the recommendation set out in minute number PL 504 (c) be referred back to the Committee for reconsideration. Councillor S A Hodges noted that this related to the proposed Welsh Medium Seed Schools, and left for the duration of this agenda item. The Leader of the Council considered that there was little point in considering the "reference back" in any detail, bearing in mind that the Council itself had referred the whole issue to its Urgency Committee, which had met on 23 July and had determined the Council's response to a letter and accompanying notice received from the Vale Council regarding the establishment of a new 210 place Welsh Medium School in Barry.

RESOLVED: that the minutes of the Committee's most recent meeting be approved and signed as a correct record.

PL523. **TO NOTE DECISIONS TAKEN UNDER DELEGATED POWERS**

None.

PL524. **TO NOTE URGENT ACTION DECISIONS TAKEN UNDER STANDING ORDER 112**

None.

PL525. **TO CONSIDER AMENDED PLANNING APPLICATIONS**

None.

PL526. **TO CONSIDER PLANNING APPLICATIONS**

a. **Planning Application No. 2010/00643/FUL**

Location – Rank Hovis Ltd, Atlantic Way, Barry
Development – Provision of a new covered walkway between the two main blocks of the Rank Hovis Flour Mill.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00643/FUL.

b. **Planning Application No. 2010/00647/FUL**

Location – 14, Cledwen Close, Barry
Development – Construct new conservatory and new lean-to toilet extension with internal alterations.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00647/FUL.

c. **Planning Application No. 2010/00648/FUL**

Location – 115-117 Port Road East, Barry
Development – Change of use to care home – incorporating extension to rear.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00648/FUL.

d. **Planning Application No. 2010/00649/RG3**

Location – Flying Start, The Boiler House, Skomer Road, Barry
Development – Minor alterations to car parking to allow for revised DDA parking and access improvements.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00649/RG3.

e. **Planning Application No. 2010/00651/FUL**

Location – 11 Peterswell Road, Barry

Development – Single storey extension to the rear of the existing property to comprise a sitting room and a utility room with WC/shower room single detached garage and storm porch to front of existing property.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00651/FUL.

f. **Planning Application No. 2010/00652/FUL**

Location – 115-117 Port Road East, Barry

Development – New entrance porch.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00652/FUL.

g. **Planning Application No. 2010/00653/FUL**

Location – 78 Tynewydd Road, Barry

Development – Single storey extension to rear of property to provide a special needs shower/WC facility.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00653/FUL.

h. **Planning Application No. 2010/00664/FUL**

Location – 53, Marine Drive, Barry

Development – Installation of UPVC conservatory to rear elevation.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00664/FUL.

i. **Planning Application No. 2010/00665/FUL**

Location – 34, Blenheim Close, Barry

Development – Proposed single storey extension to front to comprise entrance porch and WC.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00665/FUL.

j. **Planning Application No. 2010/00669/FUL**

Location – 261 Barry Road, Barry

Development – Dormer loft conversion.

RESOLVED: OBJECTION, on the grounds that the proposed development if approved would be detrimental to the streetscene by virtue of its scale, design and appearance.

k. **Planning Application No. 2010/00671/FUL**

Location – Land off Port Road East, Barry

Development – Variation of Condition 27 of approval 2010/00058/FUL – method statement for protecting Great Crested Newts.

The Committee was advised that this application related to the extant planning consent for a crematorium, gardens and ancillary buildings at Barry Golf Driving Range, Port Road East. Condition 27 of the consent related to the requirement for the production of a method statement for protecting Great Crested Newts. In his report, the Council's Planning Advisor considered that in view of the technical nature of this application, the Council might observe that it did not have the ecological expertise to make a constructive comment, instead leaving detailed comments to the Local Planning Authority's Ecological Advisor.

Councillor Karl Kuhnell advised that he had carried out some research on the internet with regard to Great Crested Newts. The information he had found stated that the Great Crested Newt was wide spread in Europe but was threatened and in decline. As Britain had probably Europe's largest population, it was very important to the continuing survival of these Newts. They needed water bodies such as ponds for breeding, but for most of the year they lived on dry land. Such ponds were usually surrounded by terrestrial habitats with plentiful ground cover.

The species had been in decline for a number of years with Great Crested Newts becoming increasingly rare in some areas. It was fully protected under UK and

European Law due to its decline and vulnerability, and was a European protected species by virtue of being listed under annex 4a to the EU Habitats and Species Directive 1992. It was also protected under the Wildlife and Countryside Act 1981 (as amended) as well as other domestic legislation.

RESOLVED: that this Council welcomed provision being made to protect this endangered species, subject to “Newt Ponds” being provided in accordance with the required methodology, meeting the ecological requirements for Great Crested Newts.

l. Planning Application No. 2010/00684/FUL

Location – Rexholme, Grove Lane, Barry

Development – Proposed loft conversion to provide bedroom and en-suite.

RESOLVED: OBJECTION, it is considered that the proposals for this elevated dwelling set within such a constrained site would result in a development that would be detrimental to the streetscene and would cause unacceptable harm to the amenities and privacy of adjacent occupiers.

m. Planning Application No. 2010/00687/FUL

Location – 25, Thompson Street, Barry

Development – New shop front and associated works.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00687/FUL.

n. Planning Application No. 2010/00688/ADV

Location – 25 Thompson Street, Barry

Development – 3 fascia signs

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00688/ADV.

o. Planning Application No. 2010/00695/FUL

Location – 18, Spires Walk, Barry

Development – Erection of conservatory in garden area and first floor extension over car parking space to provide

bedroom and study/visitor room – convert existing small bedroom to en-suite bathroom to main bedroom.

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00695/FUL.

PL527.

TO CONSIDER PLANNING APPLICATIONS - TABLED

a. **Planning Application No. 2010/00696/FUL**

Location – Land at Barry Waterfront adjacent to Dock No. 1, Barry

Development – Re-grading of site, remediation of contamination and construction of link road to Barry Island.

The Planning Advisor reported that the Local Planning Authority was unlikely to be determining this application until at least its October meeting. In view of the very large amount of plans and other paperwork involved in relation to proposals for regrading the site and the remediation of contamination and construction of a link road to Barry Island, he intended to submit a comprehensive report to the Committee's next meeting on 7 September.

RESOLVED: to note that the Planning Advisor will be submitting a report for the Committee's consideration at its next meeting.

b. **Planning Application No. 2010/00698/ADV**

Location - A.E. Petersen Pharmacy, 8-9 Park Crescent, Barry

Development - To install new aluminium shop fronts to both 8 and 9 Park Crescent. To install new fascia sign across both properties to create 1 sign, with 2 trough lights. To change use of 9 Park Crescent from empty and non trading to become joint properties with 8 Park Crescent, to create a Pharmacy of 8-9 Park Crescent

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00698/ADV.

c. **Planning Application No. 2010/00699/FUL**

Location - A.E. Peterson Pharmacy, 8-9 Park Crescent, Barry

Development - Install new aluminium shop fronts to both 8 and 9 Park Crescent (as part of proposal to create enlarged pharmacy in both units)

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00699/FUL.

d. **Planning Application No. 2010/00719/FUL**

Location - 40, Clos Celyn, Pencoedtre, Barry

Development - Retention of decking and gazebo at rear of property

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00719/FUL

e. **Planning Application No. 2010/00724/FUL**

Location - 9, Ruthen Terrace, Barry

Development - Proposed 2 storey extension to side & single storey extension to front

RESOLVED: OBJECTION, on the following grounds:-

- The proposal is considered to be an overdevelopment of this prominent site.
- If approved the size, scale and position of the proposal would result in a development that would be detrimental to streetscene;
- The proposal if approved would be detrimental to the amenities of adjoining occupiers by virtue of its size and prominent location.

f. **Planning Application No. 2010/00725/FUL**

Location - 26 Carn Yr Ebol, Barry

Development - Single storey garden building to provide veranda, garden room & shed

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00725/FUL.

g. **Planning Application No. 2010/100727/FUL**

Location - 21, White House, Barry

Development - A two storey study extension

RESOLVED: that the Local Planning Authority be informed that this Council has no objection to planning application 2010/00727/FUL.

PL528. **EXECUTIVE OFFICER'S REPORT ON LOCAL PLANNING AUTHORITY DECISIONS**

RESOLVED: that the contents of the report be received and noted.

PL529. **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTIONS 78 & 174 APPEALS**

Councillors were informed that with regard to the appeal by Mr J Clark in accordance with the Town and Country Planning Act 1990 (as amended) Section 174 concerning Whites Cosy Corner, Paget Road, Barry Island, the appellant had since withdrawn his appeal and complied with the terms of the Vale Council's Enforcement Notice.

RESOLVED: that the foregoing information be received and noted.

PL530. **APPEAL DECISION(S) – FOR INFORMATION ONLY**

Councillor Shaw pointed out that although he had made reference at the previous meeting of the Committee to the outcome of the appeal by Sunrise Renewables Ltd, no note of this had been made in minute number PL512. This being the case, he asked that an appropriate reference be included in the minutes of this meeting regarding their appeal under the Town and Country Planning Act 1990 in relation to their site at Woodham Road, Barry with regard to their proposed development of a new industrial building and installation of a 9mw wood fuelled renewable energy plant. The Executive Officer apologised for this oversight, and thanked Councillor Shaw for providing him with an electronic copy of the Inspectors decision on the appeal by Sunrise Renewables Ltd, which extended to some 14 pages. He read from a copy of the appeal decision, which he had with him, advising that the decision made on 2 July 2010 by the Inspector was to allow the appeal and to grant planning permission subject to conditions set out within a schedule attached to the decision notice. In allowing the appeal and granting permission subject to numerous conditions, the Inspector stated that at the Inquiry an application for costs had been made by Sunrise Renewables Ltd against the Vale of Glamorgan Council. However, this application would be the subject of a separate decision.

RESOLVED: to note that the Planning Inspector had allowed the appeal by Sunrise Renewables Ltd in relation to its proposed development on Land at Woodham Road, Barry, and had granted planning permission subject to conditions set out in a lengthy schedule attached to the Decision Notice.

PL531. **TO NOTE URGENT ACTION DECISIONS TAKEN UNDER STANDING ORDER 112**

None.

PL532. **TO CONSIDER TRAFFIC AND HIGHWAY ORDERS**

- a. The Vale of Glamorgan Council (Jenner Road and Romilly Road, Barry) (Disabled Persons Parking Place) (Amendment) Order 2010

RESOLVED: that the contents be received and noted.

- b. The Vale of Glamorgan Council (Churchill Terrace, Barry) (Disabled Persons Parking Place) Order 2010

RESOLVED: that the contents be received and noted.

PL533. **TO CONSIDER TRAFFIC ORDERS – TABLED**

None.

PL534. **TO NOTE URGENT ACTION DECISIONS TAKEN UNDER STANDING ORDER 112**

None.

PL535. **TO CONSIDER LICENSING APPLICATIONS**

None.

PL536. **TO CONSIDER LICENSING APPLICATIONS – TABLED**

- a. The Licensing Act 2003 – Application for the Variation of a Premises Licence – The Fizz Bar, 12 Market Street, Barry

The Executive Officer reported that he had received via email a copy of an application for a variation of a premises licence under the Licensing Act 2003. The variation requested an extension for sale of alcohol on Friday and Saturdays from 0030hrs to 0130hrs, the extension of hours relating to late night refreshments on Fridays and Saturdays from 0030hrs to 0130hrs, and an

extension of the premises opening hours on Fridays and Saturdays from 1100 hrs - 0100 hrs to 1100 hrs – 0200 hrs.

RESOLVED: that no observations be made by this Council in respect of the application for the variation of a premises licence at 12 Market Street, Barry.

PL537. **EXECUTIVE OFFICERS REPORT**

Councillors gave consideration to four items covered in the Executive Officers Report, namely:-

- (a) Stage Two Consultation: Preferred Proposals for Hinckley Point C Nuclear Development – Section 42 of the Planning Act 2008
- (b) Determination of Planning Sub-Committee (Public Rights of Way) 28/06/10 - Wildlife and Countryside Act 1981, Schedule. 14 (3) (3)
- (c) Determination of Planning Sub-Committee (Public Rights of Way) 1/7/2010 Wildlife and Countryside Act 1981, Schedule. 14(3)(3)
- (d) Training Courses

Whilst items a, b, c and d were merely noted, with regard to the Stage Two Consultation concerning Preferred Proposals for Hinkley Point C Nuclear Development, there was some discussion regarding the possibility that speakers might address the Committee on the proposals. Councillors initially suggested inviting opposing spokespersons to address a future meeting of the Committee concerning EDF Energy's Hinkley Point C proposals, providing they were willing to do this free of charge. The Leader considered that the main things Town Councillors needed to establish were, the level of any risks for the people of Barry arising out of the proposals, and how EDF Energy was working on eliminating such risks. He felt that it was important that if any speakers were invited to address Councillors, they should focus on technical advice and information relating to Hinkley Point C.

RESOLVED: that the Executive Officer attempt to obtain a speaker to address the Committee concerning EDF Energy's proposals, purely to provide technical advice and information for Committee members, responding to the specific issues highlighted by the Leader, noting that if such a speaker could be obtained free of charge, the Chairperson and the Executive Officer would to liaise to identify a convenient and appropriate

date for a special meeting of the Committee, to which all Town Councillors would be invited.

PL538. **DATE OF PLANNING COMMITTEE'S NEXT MEETING**

RESOLVED: that the Committee's next meeting be held on Tuesday, 7 September 2010 at 7.00pm.

The meeting ended at 8.00pm.

Signed
(Chairperson)

Dated