

**BARRY TOWN COUNCIL**

**PLANNING COMMITTEE – MINUTES OF A MEETING HELD ON 20 JANUARY 2009 COMMENCING AT 7.00PM**

**PRESENT:** Councillors K Lewis (in the Chair), together with Councillors J E Charles, P Drake, J Evans, S A Hodges, K Kuhnell, L M Payne, B I Shaw, T C Stenstrom, and E T Williams

**ALSO PRESENT:** Derek Wolfe – Executive Officer  
Angie Norman – Administration

PL142. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H C Hamilton, K A Kemp and C Turner.

PL143. **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE COUNCIL'S CODE OF CONDUCT**

None were received.

PL144. **TO APPROVE THE MINUTES OF THE COMMITTEE'S MEETING HELD ON 16 DECEMBER 2008**

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

PL145. **TO NOTE DECISIONS TAKEN UNDER DELEGATED POWERS**

None.

PL146. **TO NOTE URGENT ACTION TAKEN UNDER STANDING ORDER 112**

None.

PL147. **TO CONSIDER AMENDED PLANNING APPLICATIONS**

None received.

PL148. **PRESENTATION FROM VICKY ABRAHAMS – VALE OF GLAMORGAN COUNCIL'S PRINCIPAL PLANNING OFFICER**

The Vale of Glamorgan Council's Principal Planning Officer (Section 106 Agreements) attended the meeting and gave a brief presentation on the Vale Council's Draft Supplementary Planning Guidance (SPG) on Section 106 of the Town & Country Planning Act 1990, which related to Planning

Obligations. She provided Councillors with a handout detailing various aspects of Section 106. Following the presentation, Councillors were invited to ask questions.

In response to a question concerning whether the current economical climate might have an effect on what could be requested under Section 106, she advised that this was already proving to be the case. However, there was a contingency plan for such problems in that the Local Planning Authority could grant planning permission, but with the proviso that that the matter of Section 106 obligations and related funding be reviewed at a later date to ensure that none of the parties concerned suffered financially.

The Executive Officer referred to the need for more equipped areas for play in Barry (NEAPs, LEAPs and EAPs). He made reference to statutory guidance contained in PPG 17 and the equivalent Technical Advice Note published by the Welsh Assembly Government, asking whether the Vale Council was mindful of this in drafting its SPG and when negotiating with developers. Vicky advised that the Vale Council was aware that there was a shortfall in equipped play areas in Barry and that this was currently being reviewed by the relevant department.

The Executive Officer also asked whether funding contributions in respect of the need to provide additional burial land would form part of the Section 106 Agreement negotiations with developers. She advised that although this had never been done by the Vale Council before, it might be an issue that Barry Town Council might want to comment on in its response to the SPG consultation questionnaire.

Vicky was asked whether there would be any opportunity for the Town Council to be consulted on how Section 106 contributions might be spent. She commented that she would need to put this issue to the relevant Vale Council committee for consideration. Finally, she was thanked for attending the Planning Committee's meeting and invited to return at a later date to update Councillors. (Vicky Abrahams left the meeting at this point.)

**RESOLVED:** that the Chair, Vice Chair and Councillor S Hodges meet prior to 30 January 2009 to prepare a response to the SPG Consultation Questionnaire on behalf of the Committee, to be returned to the Vale Council by or before that date.

PL149.

#### **CHANGES TO WORKING PRACTICE OF PLANNING COMMITTEE**

The Executive Officer advised that following the retirement of the Planning Officer, it had been necessary for the Chair of the

Committee and himself to consider necessary changes to working practices, which they intended should take effect immediately, in terms of the way in which planning applications received from the Vale of Glamorgan Council were dealt with. Their proposal was that in future, all members would be notified of planning applications as and when they were received. Ward Councillors could either collect the relevant paperwork from the Town Council offices, or could ask to have applications posted to them. Ward Councillors would in effect borrow the paperwork in order to carry out their own researches (such as site visits) before returning all the papers back to the Town Council's offices with their comments and recommendations. This information would then be incorporated within the officers' report, which in turn would be circulated in the normal way with the Committee's agenda and other reports for its next meeting.

The Chair and the Executive Officer advised that they intended to obtain the services of a planning consultant, who would prepare analytical reports on larger and more complex applications and would be appointed on an ad-hoc basis as and when required. A Councillor felt that she did not have the necessary training to fulfil this enhancement in her role. In response, the Executive Officer stated that he had contacted Planning Aid Wales, who had advised that they could offer training for those Councillors who wanted it. Councillors were reminded that when they received paperwork relating to specific applications in their wards, they would be responsible for the safe return of that material, as copies of any plans associated with the applications could neither be made nor requested.

**RESOLVED:-**

1. to agree that all Councillors serving on the Planning Committee be advised of the Town Council's receipt of applications affecting their wards as soon as they were received, and that they be invited either to collect the relevant paperwork from the office, or to ask for the application plus any plans appended to it to be sent to them, in their capacity as Ward Councillor;
2. that Councillors be asked to return applications to the Town Council's offices as soon as reasonably possible, together with any comments they would wish to have included within the officers' report, prior to its despatch with agenda papers for the Committee's next meeting;
3. that in respect of larger and more complex planning applications a Planning Consultant be engaged to assist in the preparation of the officers' report on an ad-hoc

basis, prior to forwarding the application concerned to the Ward Councillor concerned, upon request;

4. that where possible, information be sent to Councillor Charles electronically.

PI50.

### **TO CONSIDER PLANNING APPLICATIONS**

a. **Planning Application No. 2008/01531/(OUT)**

Location – Land to the east of Pencoedtre Lane, Barry

Development – Proposed residential development including access from Port Road and associated internal roads and services.

**RESOLVED:** that Very Strong Objection be raised against this proposal. The Town Council is totally opposed to any residential development within the area of North-East Barry for the following reasons:-

1. Undue pressure would be placed upon the local infrastructure, highway network, and education facilities etc, which already have to cope with the effects of the large-scale residential development of Pencoedtre Village;
2. Open space in this part of the town is severely limited;
3. Alternative brownfield sites are available elsewhere in the town;
4. Great concerns are expressed regarding the impact of any resulting additional residential development on the irreplaceable ancient woodland found within this area;
5. that in the event of any planning consent for development on this site the Local Planning Authority should be satisfied that the Woodland Management Plan would be fully effective and properly carried out, in particular in respect of the Area of Ancient Woodland which had recently gained SSSI status.

b. **Planning Application No. 2008/01533/(OUT)**

Location – Barry Island Pleasure Park, Barry Island

Development – Proposed redevelopment of fun fair for mixed use scheme to include leisure, residential, food and drink and retail uses.

**RESOLVED:** that consideration of this application be deferred and that the quotation submitted by Harmers Ltd be accepted in the total sum of £375.00 plus VAT and mileage for the preparation of a detailed report on this application, prior to its submission to the Committee for consideration at its March meeting.

c. **Planning Application No. 2008/01567/(FUL)**

Location – 1 Park Avenue, Barry

Development – Proposed conversion of 5 bedroom dwelling into one 3 bedroom dwelling and one 1 bedroom dwelling with external alterations and loft conversion.

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01567(FUL).

d. **Planning Application No. 2008/01569/(FUL)**

Location – Glenbrook Inn, Dobbins Road, Barry

Development – Proposed construction of a new 21 bed hotel block extension and construction of an extension to the existing function room including the provision of pitched roof canopy's to the north west and south west entrances, modifying the existing entrance and re-planning the car parking on the site with landscaping works to the existing boundaries.

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01569(FUL).

e. **Planning Application No. 2008/01577/(FUL)**

Location – 251 Holton Road, Barry

Development – Conversion of existing shop floor from A1 use into one bedroom flat.

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01577(FUL).

f. **Planning Application No. 2008/01597/(FUL)**

Location – 21 Sandringham Close, Barry

Development – Single Storey Side extension to replace existing garage.

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01597(FUL).

g. **Planning Application No. 2008/01595/(FUL)**

Location – 109 Dock View Road, Barry

Development – Two single storey rear lean-to extension.

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01595(FUL).

h. **Planning Application No. 2008/01600/(FUL)**

Location – 124 Jenner Road, Barry

Development – Loft Conversion

**RESOLVED:** that the Local Planning Authority be informed that this Council has no objection to planning application 2008/01600(FUL).

PL151. **TABLED PLANNING APPLICATIONS**

The Executive Officer advised that he had been unable to inspect the rear of those properties where alley gates had been installed. He added that he had received three further applications since the despatch of the Committee's supplementary agenda on 16<sup>th</sup> January, but had not had the opportunity to prepare written reports on them. Councillor Shaw advised that in future the Executive Officer might contact Lynette Creese, the Vale of Glamorgan Council's Alley Gate coordinator, to ask her to afford him access to alleyways at the rear of specific properties where necessary.

**RESOLVED:** that the Executive Officer, in consultation with the Chair and Vice Chair of the Committee plus relevant Ward Councillors, meet and determine the Town Council's response to all three applications tabled at the Committee's meeting, in accordance with the special scheme of delegation set out within the Committee's terms of reference.

PL152. **DECISIONS TAKEN BY THE LOCAL PLANNING AUTHORITY ON RELEVANT PLANNING APPLICATIONS**

Members considered a report regarding recent planning decision notices received from the Vale of Glamorgan Council.

**RESOLVED:** that the report be received and noted.

PL153. **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) SECTION 78 APPEAL**

It was reported that an appeal had been lodged by Mr & Mrs Chivers in relation to 55 Port Road East, Barry seeking the retention of a two storey pitched roof extension to the size of the property following the Local Planning Authority's refusal to grant planning permission, and that an inspector had been appointed by the Welsh Assembly Government to determine the appeal. The appeal hearing had been arranged to take place in Room F38, Docks Office, Barry, on 21 January 2009 at 9.30am.

**RESOLVED:** that details of the impending appeal be noted.

PL154. **APPEAL DECISIONS**

Councillors were informed that the Planning Inspectorate had recently determined two appeals, whilst the appellant had withdrawn the third. Details of all three are set out below:-

- (a) Appeal by David Bobbett in relation to 184 Colcot Road, Barry against a refusal by the Local Planning Authority to grant planning permission for the proposed development of a first floor side extension and loft conversion at 184 Colcot Road. The Inspector's decision notified by way of a letter dated 18 December 2008 from the Planning Inspectorate was to dismiss the appeal.
- (b) Appeal by First Line Taxis Ltd in relation to Unit no. 20, room no. 2 Palmerston Workshops, Barry, CF63 2YZ against the Local Planning Authority's refusal to grant planning permission in respect of application 2008/00186/FUL in respect of the development proposed in the application, which was the retention of a change of

use as a Taxi Call Centre. The Inspector's decision notified by way of a letter dated 22 December 2008 from the Planning Inspectorate was to dismiss the appeal.

- (c) Appeal by Newydd Housing Association 1974 Ltd in relation to the former Nursery Land adjacent to Cemetery Road, Barry for the erection of 61 affordable dwellings made up of 39 houses and 2 blocks of 11 flats plus associated works. In relation to the Housing Association's appeal against the Local Planning Authority's refusal to grant planning permission for the aforesaid proposed development, a letter dated 9 January 2009 from the Head of Planning & Transportation advises that Newydd Housing Association has now withdrawn the appeal and that the public enquiry which was scheduled to be held on 10 and 11 February 2009 has therefore been cancelled. As a result, no further action is required in connection with the appeal.

**RESOLVED:** that the outcome of three recent appeals be noted.

PL155.

**TRAFFIC ORDERS & HIGHWAYS ISSUES**

- a. **Urgent Action taken via Standing Order 112**

None.

- b. **Traffic Orders**

None received.

PL156.

**LICENSING**

- a. **Urgent Action taken via Standing Order 112**

None.

- b. **Licensing Applications**

Councillors received details of an application for a new premises licence in respect of Barry YMCA under the Licensing Act. This had been notified to the Town Council by way of a letter from the Vale of Glamorgan Council received on 17 December 2008. The application was for the provision of regulated entertainment for plays, indoor sporting events, live music, recorded music and the performance of dance, plus the provision of entertainments facilities for dancing and entertainment of a similar description to making music and dancing.

**RESOLVED:** that the detailed application be noted.

PL157. **DATE OF NEXT PLANNING COMMITTEE MEETING**

**RESOLVED:** that the next Planning Committee meeting be held on Tuesday, 17 February 2009.

PL158. **DATES OF FUTURE PLANNING COMMITTEE MEETINGS**

**RESOLVED:** that Planning Committee meetings be held on Tuesdays 17 March, 21 April and 19 May during the remainder of the Municipal year, subject to the Executive Officer checking that these dates would not cause problems for the Town Council in reporting its observations to the Local Planning Authority, in terms of when the Vale of Glamorgan Council's Planning Committee met.

The meeting closed at 8.50pm.

Signed .....  
(Chairperson)

Date .....