



**BARRY TOWN COUNCIL
CYNGOR TREF Y BARRI**

PURSUANT TO THE REQUIREMENTS OF THE ABOVE STATUTORY PROVISIONS, NOTICE IS HEREBY GIVEN THAT A MEETING OF THE PLANNING COMMITTEE TO BE HELD ON A HYBRID BASIS IN THE COUNCIL CHAMBER, TOWN HALL, KING SQUARE, BARRY, CF63 4RW AND REMOTELY ON TUESDAY 31 JANUARY 2023 COMMENCING AT 7.00 PM FOR THE PURPOSE OF TRANSACTING THE BUSINESS SHOWN IN THE AGENDA SET OUT BELOW.

From 1 May 2021 The Local Government and Elections (Wales) Act 2021 makes provision for meetings to take place through a variety of arrangements, including multi-location meetings where all individuals are attending virtually and hybrid meetings where a number of individuals are attending in person at a designated location and others are attending virtually from a range of other locations. The Act makes permanent provision for remote meetings (multi-location) and electronic publication of documents

Yours faithfully

A handwritten signature in black ink, reading "Emily Forbes".

Emily Forbes
Chief Officer (Town Clerk)

AGENDA

1. **Apologies for absence**
2. **To receive declarations of interest under the Council's Code of Conduct** (Note: Members seeking advice on this item are asked to contact the Monitoring Office at least 72 hours before the meeting)

3. **Well-being of Future Generations (Wales) Act 2015**

(To note)

*Planning Committee members will note that this Act sets out the requirement for a public body to act in a manner which seeks to ensure **that the needs of the present are met without compromising the ability of future generations to meet their own needs.***

In order to act in that manner, a public body must take account of the following things:

- (a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;*
- (b) the need to take an integrated approach, by considering how—*
 - i. the body's well-being objectives may impact upon each of the well-being goals;*
 - ii. the body's well-being objectives impact upon each other or upon other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;*
- (c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the part of Wales in relation to which the body exercises functions;*
- (d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;*
- (e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives.*

4. **To note the Planning Committee's Terms of Reference**
(Page 1)

5. **To approve the minutes of the Planning Committee's Meeting held on 15 February 2022**
(Pages 2-12)

Planning Issues

6. To consider Planning Applications:

(Pages 13-45)

- a) Planning Application No. 2022/01120/FUL - Conversion and change of use of part of existing ground and basement floors stores to cafe and takeaway at Nisa Local, East End Boxing Club, Vere Street, Barry
- b) Planning Application No. 2022/01280/FUL - A temporary tent/marquee structure is being made permanent. The structure is generally used for storage and occasionally (every two years) used for large construction projects at Dow Corning Ltd., Cardiff Road, Barry
- c) Planning Application No. 2022/01284/RG3 - External fencing panels 1.8m high abutting the existing railings and low level wall to the front elevation at Jenner Park Primary School, Hannah Street, Barry
- d) Planning Application No. 2022/01316/ADV - Fascia, projecting sign, window vinyls and poster cases at Card Value, 128, Holton Road, Barry
- e) Planning Application No. 2022/01353/FUL - Demolition of existing rear extension. Proposed two storey side and rear extension, porch extension and dormer loft extension and associated remodelling works at 12, Philadelphia Close, Barry
- f) Planning Application No. 2022/01354/FUL - New external ramped access with new handrails, and all associated works at 13, Clos Llawhaden, Barry
- g) Planning Application No. 2022/01357/FUL - Garage conversion to living space and new raised decking and steps area to rear at 215, Ffordd Y Dociau, Barry
- h) Planning Application No. 2022/01365/RG3 - Installation of two new items of play equipment (climbing net and ship) to replace existing units of similar size. The other works to regrade the play area are not included as they are seen as permitted development under Class A (General Permitted Development Order 1995) at Porthkerry Play Area, Barry
- i) Planning Application No. 2022/01372/FUL - Loft conversion (extending from the rear gables), single storey extension to side and rear, new double garage to front at Longford Park, Highlight Lane, Barry

- j) Planning Application No. 2022/01379/FUL - Proposed change of use and extension of building to a Rural Enterprise Dwelling and associated development at Welsh Hawking Centre, Waycock Road, Barry
- k) Planning Application No. 2023/00010/FUL - Removal of existing conservatory. Proposed single storey front, side and rear extension and associated internal alterations at 1A, Liscum Way, Barry
- l) Planning Application No. 2023/00018/PNT - Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets at Barry Road street works, Barry
- m) Planning Application No. 2023/00064/RG3 - Replacement of the existing skate park with a new concrete wheeled sports facility and alterations to the path layout in Cold Knap Park to improve accessibility at Cold Knap Gardens, Lakeside, Barry

- 7. **To Consider Tabled Applications** (To follow)
- 8. **Local Planning Authority Decisions** (Pages 46-47)
- 9. **Notification of a Premises Licence Application - The Licencing Act 2003** (Page 48-49)
 - a) Former Teddy T's and Rumba, Friars Road, Barry, CF62 5TR
 - b) Old Street Lounge 4 Broad Street, Barry, CF62 7AA
 - c) Atlantic Café, 1 Wimbourne Road, Barry CF63 3HD
- 10. **Applications Dealt with Under Delegated Powers – For information only** (None)
- 11. **Planning Officer's Early Reflections on Current Systems and Processes in Place** (Verbal)
- 12. **Date of Next Meeting**

The date of the next Planning Committee is scheduled for Tuesday 21 February 2023

Distribution

Electronic notification of summons and front page Agenda to all Committee members. Email notification of electronic papers to all Barry Town Councillors (22). A full copy of the agenda and papers for this meeting (with the exception of confidential items) will be available at the Town Council Offices and on the Town Council Website – www.barrytowncouncil.gov.uk

D) PLANNING COMMITTEE

UNDER DELEGATED POWERS

1. To comment on all planning applications submitted by the Local Planning Authority with delegated powers to forward such comments as expeditiously as possible to the Authority.
2. To make observations relating to applications for public entertainment, street trader stall, dredging, justices' and other similar licences.
3. To make representations in relation to Local Development Plan proposals and other statutory planning documents prepared by the Vale of Glamorgan Council.
4. To make representations when thought fit on planning appeals and to appoint a delegate to attend planning inquiries and Vale of Glamorgan Planning Meetings as and when required.
5. To comment on other planning related issues, such as proposed new community woodlands, pre-application consultations on telecommunications masts, proposed post office closures and the provision of public payphones.
6. To comment on proposed tree preservation orders, public footpath diversions, alley-gating and street name suggestions, etc.
7. To alert the Local Planning Authority to any alleged development control breaches in Barry.
8. To comment on all planning applications concerning conservation specifically within the Barry area.
9. To make representations, where relevant, in relation to Community Infrastructure Levy (CIL) revenue collected by the Local Authority.
10. To consider any item as appropriate within the Scheme of Delegation

BY WAY OF RECOMMENDATION TO FULL COUNCIL OR THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE

1. To make recommendations on any issues that have a financial and or staffing implication for the Town Council.

BARRY TOWN COUNCIL

MINUTES OF A VIRTUAL MEETING OF THE PLANNING COMMITTEE HELD ON TUESDAY 15 FEBRUARY 2022 AT 7PM

PRESENT: Councillor Hawkins (Chairperson) together with, Councillors Bailey, Charles, Collins, S Hodges, Payne, Perkes and Wilkinson

ALSO PRESENT: David Watkins – Planning Officer
Rebecca Blackwell – Office Team Leader
Councillor Clarke – Observer
Councillor N Hodges - Observer
Councillor Rowlands – Observer
Phil Gibbs – Member of Public
Suzanne Price – Member of Public
Darren Williams – Member of Public

PL624. **APOLOGIES FOR ABSENCE**

None received.

PL625. **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE COUNCIL'S CODE OF CONDUCT**

The Chair declared an interest in item 5 (I) due to the development being close to his home.

PL626. **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

RESOLVED: That the Well-being for Future Generations (Wales) Act 2015 be received and noted.

PL627. **TO APPROVE THE MINUTES OF THE PLANNING COMMITTEES MEETING HELD ON 25 JANUARY 2022**

RESOLVED: That the minutes of the Planning Committees meeting held on 25 January 2022 be approved and signed as a correct record.

PL 628. **TO CONSIDER PLANNING APPLICATIONS**

a) Planning Application No. 2019/00871/OUT

Location: Land at Model Farm, Port Road, Rhoose

Development: Hybrid application comprising an outline application for the demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, ecological mitigation and ancillary works (all matters reserved aside from access) within Area A and a full application for change of use from agricultural land to country park (Use Class D2) within Area B.

The Planning Officer talked members through his report and concerns advising that there had been a large reduction on financial

capabilities stating that the development would be non-viable if they were to pay the Section 106 contributions. The Planning Officer also advised that there had been no change in the development a a robust objection is suggested.

Councillor Bailey agreed that the objection had to be more robust and in the strongest terms. He also raised concerns about the reduction on the Section 106 financial contribution as it is tied into the relief road at junction 34 of the M4. He also raised concerns to the loss of important agricultural land, stating that the proposed development is not viable and a strong robust objection is made.

Councillor Perkes agreed with Councillor Bailey adding that the Council re-iterates its strong objection to the proposed development.

Councillor S Hodges advised members that Barry Town Council were not Statutory Consultees at the beginning when the application was first proposed and raised this as the proposed development would have a significant effect on Barry and its border. Councillor S Hodges added that the reduction of the Section 106 financial contribution would have an impact on Barry and that the Vale of Glamorgan Council were miss-directed as the development viability information was not present during the decision making process.

Councillor Clarke advised that he had a statement which he would like to read out to the Committee. The points that Councillor Clarke made were in relation to:

- Traffic Concerns on Port Road and at Weycock Cross
- Sewerage concerns at Cog Moors which is already at capacity and would not be able to cope with sewerage produced from the proposed development
- Concern over TAN 15 and the flooding risks connected to it, it is likely to have an impact on Porthkerry Park.
- Barry Town Council should have been Statutory Consultees from the beginning

Councillor Rowlands interjected and stated that Councillor Clarke is not a member of the Planning Committee and members should have been asked permission for him to speak. Councillor Perkes agreed with Councillor Rowlands.

Councillor S Hodges asked for a point of order, saying that the Chairperson invite people to speak and there is nothing in standing orders to state the order of which members and non-members can address the committee. Councillor Charles added that it would be for the Committee to agree who speaks or grant permission.

The Chair then asked members of the committee if they wish to speak.

Councillor Charles said that Plaid had said what she wanted to say adding that the proposed Section 106 financial contribution is not enough and that the proposed development is not viable, a strong objection should be submitted.

Councillor S Hodges said that the scheme is not viable without the full section 106 financial contribution and that a complaint should be made that Barry Town Council were not originally Statutory Consultees, clarification must be sought.

Councillor Clarke asked to address the committee which members agreed. Councillor Clarke continued to address the points within his statement advising that the developer is requesting planning permission for something which is not economic, a large reduction on Section 106 financial contributions, the current land available at the Bro Tathan site demonstrates that there isn't a requirement for this type of development, the proposed expansion of Bristol Airport will have a negative impact on Cardiff Airport, a number of grade II listed buildings in close proximity to the development including other former farm houses, Egerton Grey house, Church farm and St Curig Church.

Councillor Payne raised concerns in relation to the re-direction of public footpaths and agree with the general consensus.

Phil Gibbs wished to address the committee with his concerns. He advised members that he is part of Vale Communities Unite adding his concerns of the non-viability of the site noting that the Ecology report was not forwarded to the Vale of Glamorgan Planning Committee and that the development would be detrimental to the residents of the Vale of Glamorgan. He also had concerns over the sustainability of Cardiff Airport, the demolition of the farm building on the site, adding that there is a Climate Emergency and this proposed development would remove a green wedge from the Vale of Glamorgan, effecting the LDP which was implemented in 2011.

Councillor Rowlands advised that he is a member of the Vale of Glamorgan Planning Committee noting the traffic congestion to the North side of Barry and the disappointment of not receiving the viability figures.

Councillor Perkes thanks the members of the public for attending, advising them that Barry Town Council have objected to the development previously.

Councillor Collins commented on the traffic issues within that area and that public transport is unreliable with no signs of improvement, adding to the traffic problems.

Members concluded the discussion and it was;

RESOLVED: Barry Town Council wish to highlight 2 important considerations in relation to the planning application process for the proposed development at Model Farm. They are;

- The Town Council considers it should be a statutory consultee in this matter
- The Town Council are disappointed that the Development Viability Appraisal was not made publicly available when this application was first considered and its subsequent implications for the Section 106 payments/funding arrangements.

The Planning Committee re-iterate its concerns regarding the proposed development

and very strongly object to the current proposals for the following reasons;

- The proposals would generate increased and unacceptable traffic levels, leading to congestion particularly on local roads, particularly Port Road
- There appears a lack of a phasing programme within the application.
- The project appears purely speculative and unviable, with currently no identifiable tenants.
- The proposals do not appear to have adequately assessed the implications for the local environment.
- The project does not appear to be initiated or led by the key site activity/occupier i.e. Cardiff Airport. This reinforces the speculative nature of the proposals.
- The proposed extension of Porthkerry Park – who funds this proposal and who maintains in future this is not explained.
- There appears to be poor linkage between pedestrian routes and cycleways in the proposals. Also question mark regarding the practicality of walking to the site via local roads and Porthkerry Park.

- The loss of a productive farm is not acceptable.
- The construction of new build on green field land is not acceptable. The Council should be directing developers to existing Brownfield sites e.g. Llandow Airfield and former Dow Corning land.
- The unacceptable and ill-timed traffic surveys - not undertaken at peak periods.
- The proposals appear at odds with the objectives and sentiments of The Well Being of Future Generations (Wales) Act 2015, to the detriment of the people of Barry and local rural villages.
- The proposals appear dysfunctional in travel/transport terms with heavy reliance upon private motor vehicles. There are limited proposals for improving public transport in terms of buses or rail passengers/freight.
- There are local alternative sites for redevelopment as industrial parks e.g. Bro Tathan development.
- The recent updated TAN 15 document identifies that parts of the site may be liable to potential flooding
- The proposed development will adversely impact upon the existing foul drainage system and local Sewage Treatment Works.
- There is concern that local public footpath network will be adversely impacted by the proposed development.

b) Planning Application No. 2021/01136/FUL

Location: 5, Ffordd Y Mileniwm, Barry

Development: Erect a fence around front garden

RESOLVED: Barry Town Council objects to the proposed development for the following reasons;

- The proposed fence would be an intrusive visual element in the existing street scene

- **The proposed fence would set an unacceptable precedent for similar developments at this location.**

c) Planning Application No. 2021/01269/FUL

Location: 12, White House, Barry

Development: Excavate an area 6m x 3m to install open air swimming pool at ground level: no retaining wall or enclosure required

RESOLVED: No objections subject to the satisfaction of the Vale of Glamorgan Planning and Engineers departments.

d) Planning Application No. 2021/01593/FUL

Location: Awbery House, Buttrills Walk, Barry

Development: To fit a band III end-fed collinear antenna to the roof of Awbery House.

Councillor Payne wished to object against the proposed development due to the health impacts that masts cause on public health adding that they should not be sighted near schools or residential areas.

A vote was taken whereby 1 member voted for an objection.

RESOLVED: No objections

e) Planning Application No. 2021/01790/FUL

Location: The Buck, 62-66, Holton Road, Barry

Development: Proposed conversion of existing upper floors into 14 hotel style rooms with ensuite bathrooms. Small lounge area, office and laundry room. New internal fire escape stair (from upper floor to first) and externally from first floor to ground

Councillor Perkes agreed with the Planning Officer adding that it would be good to have people staying within the Town Centre.

Councillor Collins had concerns over the use of the hotel style rooms and parking in the area.

RESOLVED: No objections subject to the following:

- **The proposed development is to the satisfaction of the Vale of Glamorgan Housing department and Fire Officer – South Wales Fire and Rescue.**

f) Planning Application No. 2021/01793/FUL

Location: Living Accommodation, Nisa, 1, Vere Street, Barry

Development: Conversion to top floor to four-bedroom HMO flat

Councillor Payne raised concerns to the historic value of the building and agreed with the objection of overdevelopment. Councillor S Hodges advised that the committee will need to agree the strong objection adding concerns of 4 adults using one bathroom.

RESOLVED: Barry Town Council strongly objects to the proposals for the following reasons:

- **The proposed conversion of the top floor to a 4 bed HMO appears to be an overdevelopment, which requires a reduction in bedroom numbers; a reconsideration of the occupancy levels and improved associated facilities for this property.**

It was at this point of the meeting whereby the Planning Officer began to have technical issues displaying the plans for members to consult on the Planning Applications. The Planning Officer advised that the remainder of the applications do not appear controversial.

Councillor S Hodges suggested that as the Planning Officer was having technical issues the Scheme of Delegation is implemented for the duration of the meeting.

Members agreed that for the remainder of the agenda, the Scheme of Delegation will be implemented.

PL629.

APPLICATIONS DEALT WITH UNDER DELEGATED POWERS

g) Planning Application No. 2022/00001/FUL

Location: 41, Hinchsliff Avenue, Barry

Development: Demolition of side outbuilding and rear conservatory. Creation of 2 storey side extension, front monopitch porch and replacement conservatory to the rear, with balcony over.

RESOLVED: No objections subject to the following:

- **The proposed development has matching finishes and materials to that of the original dwelling**
- **The glass balustrade on first floor shall be of opaque/obscure glass.**

h) Planning Application No. 2022/00007/FUL

Location: 19, Birch Grove, Barry

Development: Loft conversion with hip to gable extension and new flat roof rear dormer with Juliet balcony and conversion of existing garage to habitable space

RESOLVED: No objections

i) Planning Application No. 2022/00014/FUL

Location: 49, Harvey Street, Barry

Development: Proposed loft conversion with rear flat roof former window.

RESOLVED: No objections subject to the proposed development having matching finishes and materials to that of the existing dwelling

j) Planning Application No. 2022/00021/FUL

Location: Jacksons Quay, Barry

Development: Alteration of existing window/door opening and the construction of a new ramped access plus associated works

RESOLVED: No objections

k) Planning Application No. 2022/00025/FUL

Location: The Park PH, Park Crescent, Barry

Development: Erection of a timber framed shelter in existing beer garden; installation of some fixed seating beneath shelter; construction of timber bin enclosure; forming of new door and window in end gable

RESOLVED: No objections

l) Planning Application No. 2022/00027/FUL

Location: 39, Cae Leon, Barry

Development: Demolition of existing rear single storey flat roof extension, conservatory and garage, construction of new single storey pitched roof extension, render external facades and re-roof.

RESOLVED: No objections subject to finishes and materials of the proposed development be to the satisfaction of the Vale of Glamorgan planning department

m) Planning Application No. 2022/00035/FUL

Location: 12, Peterswell Road, Barry

Development: Porch replacement, single storey extension to side and rear, including material alterations

RESOLVED: No objections

n) Planning Application No. 2022/00039/FUL

Location: Plot adjacent to 17, Courtenay Road, Barry

Development: New dwelling on existing vacant site, to include new vehicular and pedestrian access, parking and varying height retaining walls to rear and side of site, with new hard and soft landscaping.

RESOLVED: Objection to the proposed development for the following reasons

- The proposed dwelling and associated works is an overdevelopment of a restricted site.
- The proposed development could adversely impact upon the amenity and privacy of neighbours.
- The proposed vehicular access directly off Gladstone Road and car parking provision for the site is unacceptable
- The proposed dwelling has inadequate provision of amenity/garden area.

o) Planning Application No. 2022/00044/FUL

Location: Provincial House, Kendrick Road, Barry

Development: Variation of Condition 2 (Plan Specification) of Planning Permission Ref. 2018/00092/FUL to allow for the installation of brise soleil.

RESOLVED: No objections subject to the satisfaction of the Vale of Glamorgan Planning and Building Control Departments.

p) Planning Application No. 2022/00069/FUL

Location: 130, Colcot Road, Barry

Development: Demolition of existing garage and construction of single storey extension to the rear of the property

RESOLVED: No objections subject to matching finishes and materials.

PL630. **TO CONSIDER TABLED APPLICATIONS**

a) **Planning Application No. 2022/00040/ADV**

Location: 5 Paget Road, Barry

Development: Shop sign to be erected on existing metal frame held up by ornate posts on pavement in front of arcade at Dimes

RESOLVED: No objections

b) **Planning Application No. 2022/00093/FUL**

Location: 10, White House, Barry

Development: Proposed rear extension to replace existing conservatory, the existing footprint will be maintained so no increase in size. Changes to fenestration

RESOLVED: No objections

PL631. **LOCAL PLANNING AUTHORITY DECISIONS**

RESOLVED: That the Local Planning Authority Decisions be received and noted.

PL632. **NOTIFICATION OF A PREMISES LICENCE APPLICATION – BARRY WEST END CLUB & INSTITUTE, 54 ST. NICHOLAS ROAD, BARRY CF63 6QY. THE LICENCING ACT 2003**

RESOLVED: No objections

PL633. **TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012 – CONSULTATION BEFORE APPLYING BEFORE PLANNING PERMISSION NOTICE**

a) Phase two of the affordable housing residential development on Land North of Holm View Leisure Centre, Skomer Road, Barry

RESOLVED: No objection in principle to the proposed development

PL634. **THE VALE OF GLAMORGAN COUNCIL (FFORDD Y MILENIWM (PART) AND PAGET ROAD (PART) TRAFFIC SIGNALISED JUNCTIONS, BARRY) PROHIBITION OF “U” TURN ORDER 2022**

RESOLVED: No objection

PL635. **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) - PLANNING APPEAL AGAINST REFUSAL OF A HOUSEHOLDER APPLICATION**

a) Single and two storey extensions to the front and rear of property to include annex; single storey extension to the side, including material

and other alterations. Rear terrace and alterations to front boundary treatments. Internal alterations at 3, White House, Barry, CF62 6FB

RESOLVED: That the Planning Appeal against refusal of a Householder Application be received, noting that the Planning Inspectorate decision will be advised in due course.

PL636. **DATE OF NEXT MEETING**

RESOLVED: That the date of the next meeting will be held on 8 March 2022.

Meeting closed at 8.10 pm.

Signed.....(Chairperson) Dated.....

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 12 JANUARY 2023

COMMENTS DEADLINE – 2 FEBRUARY 2023

APPLICATION NO. (S)	2022/01120/FUL
LOCATION	Nisa Local, East End Boxing Club, Vere Street, Barry
WARD	Cadoc
APPLICANT	Arwinder Singh
PROPOSED DEVELOPMENT	Conversion and change of use of part of existing ground and basement floors stores to cafe and takeaway

BACKGROUND

The site is located towards the south eastern side of Vere Street and contains a large, detached property which was historically in use as a Public House. The property has frontages over Vere Street, Northcote Terrace and Little Moors Hill. The property has an extensive planning history including within areas directly related to this application (2015/01277/FUL, 2016/01091/FUL & 2018/00933/FUL). As such, the principle of changing the use class of this area of the property has been well established. The site is location within the Cadoc ward of the Barry settlement boundary. The site is located within a row of shops in commercial usage, including retail, takeaway etc.

PROPOSAL

The application seeks permission for the conversion of storage areas currently used as ancillary to the adjoining shop (Londis) to A3 use, café and takeaway. The site has previously been approved use as C3 (flats) and, in a separate application, A1 use (retail) with ancillary A3 (café). The site has also previously seen use as a Public House (A3) though this was some years prior.

The use of the ground floor as a takeaway restaurant with service area and kitchen is clearly demonstrated on submitted plans; however, the use of the lower ground floor for similar has not been fully clarified on plans. The hours of opening are proposed to be 5pm to 11pm, seven days a week. The application form states that there are currently 2 full time and 2 part time staff employed as part of the existing use but gives no information on proposed staffing numbers.

As clarified by the applicant no external changes to the building's façade are currently proposed, however it is likely a separate application for advertisement consent will be forthcoming if this application is approved. No further information has been submitted in support of the application.

RECOMMENDATION

The issues which will impact upon the likelihood of consent are as follows:

- **Principle of the use of the site, Policy MG15 - Non-A1 retail uses within local & neighbourhood retail centres & POLICY SP6 – Retail:**

Vere Street is identified as a local retail centre, as such the proposal for a non-retail (A1) use would require that it does not result in excess of 50% non-A1 retail uses; it demonstrates through active and appropriate marketing that the existing use is no longer economically viable; and that the proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre.

It is noted that the Policy SP5 of the Local Development Plan has a presumption in favour of the development of 'vacant floorspace' i.e. *"opportunities for the effective use of vacant floorspace and refurbishment of properties will be maximised, alongside measures to improve public realm and access"*.

Vere Street has a fair mix of traders and does not currently have what could be considered a disproportionate amount of 'takeaway' establishments, especially to this end of the retail centre. The lack of information submitted regarding the use of the lower ground floor level of the property raises points of concern. No marketing would be required supposedly due to the 'vacant' nature of the premises as established by previous planning consents.

When read in conjunction with SP5, it appears that the application has a high likelihood of compliance with the policies listed above.

- **Parking provision and highway safety**

The site is located within 'Zone C - Suburban or Near Urban', as designated by the Parking Standards (2019) SPG. The proposal, depending on which type of development appears to be more dominant, has one of the following parking requirements:

- Café - 1 commercial vehicle space & 1 space per 3 non-resident staff & 1 space per 14 sqm of dining area
- Takeaway - 1 commercial vehicle space & 1 space for non-resident staff & adequate on street parking for customers nearby

Neither of the parking requirements of these two uses can be complied with; however, members are reminded that the proposal is located within a sustainable, retail centre location, in close proximity to public transport links and with on-street parking available directly to the front of the proposal.

- **Impact on neighbour amenity**

The change of use would result in an intensification of the use of the 'derelict' building. However, members are reminded again of the location of the proposal within a local retail centre where such uses are not uncommon. The proposed hours of business may be considered excessive however given the

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 9 JANUARY 2023

COMMENTS DEADLINE – 30 JANUARY 2023

APPLICATION NO. (S)	2022/01280/FUL
LOCATION	Dow Corning Ltd., Cardiff Road, Barry
WARD	Cadoc
APPLICANT	Dow Silicones UK Ltd
PROPOSED DEVELOPMENT	A temporary tent/marquee structure is being made permanent. The structure is generally used for storage and occasionally (every two years) used for large construction projects

BACKGROUND

The application relates to an area within the Dow Corning complex. The application site is wholly within the compound, surrounded by existing manufacturing buildings and equipment. The entire site compound is bounded to the north by the residential area of Palmerston, the east by adjacent industrial units and other manufacturing and processing complexes. To the west by the sea docks of Barry, and to the south by a mixture of industrial premises and residential properties. The site lies within Flood Zone C2.

PROPOSAL

The application is partially retrospective in that it relates to “a temporary tent/marquee structure ... being made permanent. The structure is generally used for storage and occasionally (~every two years) used for large construction projects.”

Previously the site has been used for the same purpose, albeit with the materials and equipment stored left in the open.

RECOMMENDATION

The site lies within close proximity to residential properties; however, the proposed permanent use of tent/marquee structure is not considered to raise any concerns with regard to having an adverse impact on neighbouring occupiers.

As the site lies entirely within Zone C2 as defined by DAM (Development Advice Map) under TAN 15 it is advised that no decision should be made without the consent of DCWW (Dŵr Cymru / Welsh Water) and NRW (Natural Resources Wales).

No adverse comments tendered.

SITE PLAN

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 3 JANUARY 2023

COMMENTS DEADLINE – 24 JANUARY 2023

APPLICATION NO. (S)	2022/01284/RG3
LOCATION	Jenner Park Primary School, Hannah Street, Barry
WARD	Court
APPLICANT	Jenner Park Primary School
PROPOSED DEVELOPMENT	External fencing panels 1.8m high abutting the existing railings and low level wall to the front elevation

BACKGROUND

The application site is located within Court Ward, to the south of Barry Road. The site contains a large property in use as a children's Primary / Nursery School. The application for development is centred to the northern side of the site, where there is currently a low lying brick wall present with railings above.

PROPOSAL

The proposal relates to a Regulation 3 Application from Vale of Glamorgan Council which proposes minor alterations/additions to the external wall beyond the northern front elevation of the Primary School. A new section of fencing is proposed, 1.8 metres in height from ground level, abutting the existing railing and low level wall. The new section of fencing comes out approximately half way along the width of the school's front (northern) elevation and continues parallel to the building to the eastern boundary of the site.

RECOMMENDATION

The proposal would have no undue impact upon the residential amenities of adjoining occupiers and would not radically alter the appearance of the building from the street scene. No adverse comments are recommended.

SITE PLAN

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 13 JANUARY 2023

COMMENTS DEADLINE – 03 FEBRUARY 2023

APPLICATION NO. (S)	2022/01316/ADV
LOCATION	Card Value, 128, Holton Road, Barry
WARD	Castleland
APPLICANT	One Stop Ltd
PROPOSED DEVELOPMENT	Fascia, projecting sign, window vinyls and poster cases

BACKGROUND

The application site is located towards the southern side of Holton Road, opposite the Town Council Offices and Public Library. The property was previously occupied by a 'Card Value' shop under retail (A1) usage and is part of a row of properties in commercial usage.

PROPOSAL

The proposal relates to a 'rebranding' of the site as a 'One Stop' shop and as such seeks advertisement consent for a new fascia sign, a projecting sign, window vinyls and poster cases. Dimensions are as follows:

Fascia Sign – 0.6 (h) x 6.5 (w) x 0.05 (d). situated 2.8 metres above ground level. Materials are acrylic and the static sign is to be internally illuminated (250cd/m²).

Hanging sign – 0.6 (h) x 0.9 (w) x 0.15 (d). situated 2.8 metres above ground level. Projecting 0.9 metres from the building. Materials are acrylic and the static sign is to be internally illuminated (250cd/m²).

The remaining signage relates to window vinyls - Digitally printed window graphic externally applied to glazing. 4 Various sizes A. size: 2,134mm x 2,175mm B. size: 785mm x 1,600mm C. size: 725mm x 2,180mm D. size: 2,135mm x 200mm

And a poster case.

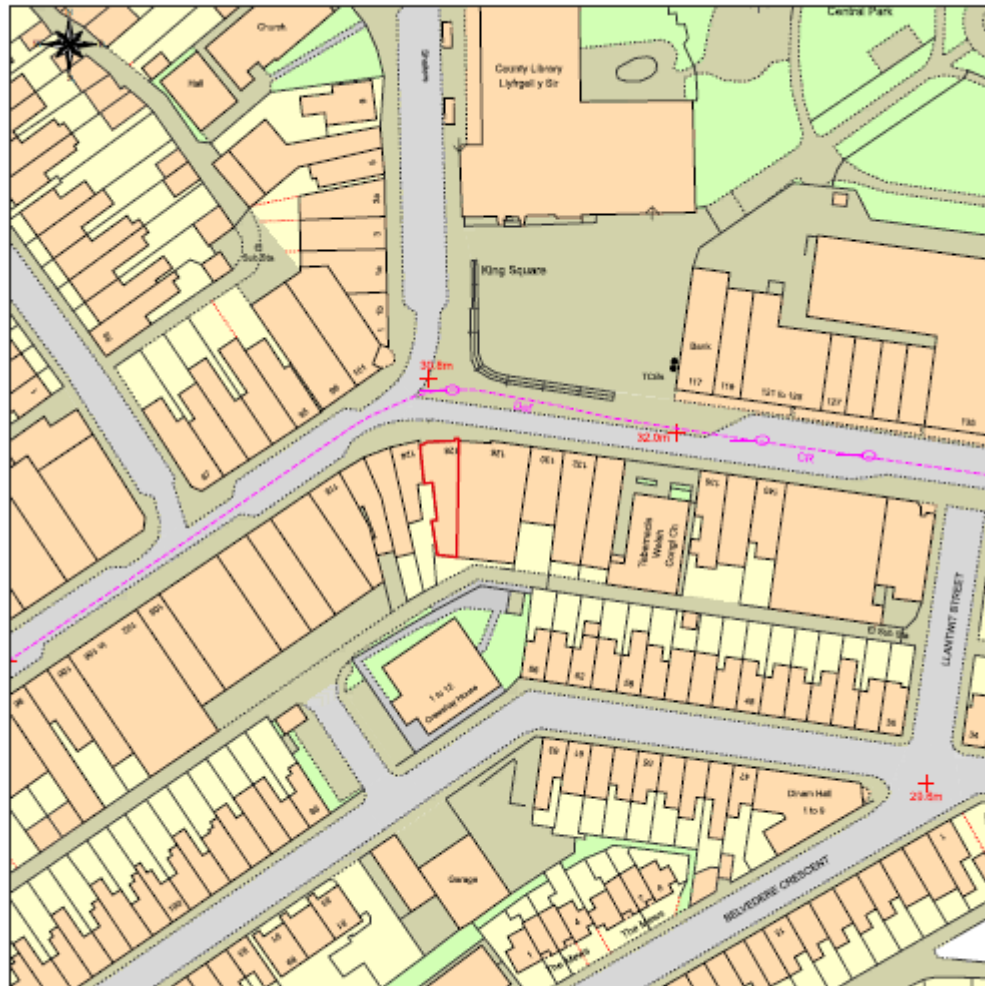
OBSERVATIONS

In terms of the visual impact of the proposed signage, they are highly visible along Holton Road and also some areas of Tynewydd Road. However, the building is located within a retail street scene and as such, the proposed signage would not be out of character.

In terms of public and highway safety, it is unlikely that the Council's Highways department would raise issue with the signage given that it is largely to replace existing and the commercial nature of Holton Road and the surrounding area.

SITE PLAN

ONE STOP STORES LTD
128 Holton Road, Barry, South Glamorgan, CF63 4HH



Scale Bar 1:1250

0 25m 50m 75m 100m 125m

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 10 JANUARY 2023

COMMENTS DEADLINE – 31 JANUARY 2023

APPLICATION NO. (S)	2022/01353/FUL
LOCATION	12, Philadelphia Close, Barry
WARD	Caodc
APPLICANT	Mrs Rees
PROPOSED DEVELOPMENT	Demolition of existing rear extension. Proposed two storey side and rear extension, porch extension and dormer loft extension and associated remodelling works

BACKGROUND

Previous application 2022/00281/FUL. Officers comments as follows:

“The application property is a semi-detached property within the settlement of Barry as defined by the Vale of Glamorgan Local Development Plan 2011-2026. The property sits within a street scene of similarly designed properties but is also clearly visible from Langlands Road to the rear. The property currently benefits from a single storey outbuilding within the rear garden and a storage area to the side.”

PROPOSAL

“The application proposes the erection of a two storey side and rear extension, single storey front extension; a single storey rear extension and a flat roof dormer window within the rear roofslope.”

The application differs slightly from previous in that the proposal has been set off the adjoining boundary to the south with No.14 by a token amount in an attempt to overcome the concerns listed below.

PREVIOUS ASSESSMENT

Issues

In assessing the proposal against the above policies and guidance, it is considered that the issues include the design and visual impact; any effect on neighbouring and general amenity and highway safety.

Design and Visual Impact

Policy MD2 (Design of New Development) of the adopted Local Development Plan 2011 – 2026 states that in order to create high quality, healthy, sustainable and locally distinct places development proposals should:

1) Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest.

2) Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density. As the site is located within Settlement Boundaries outlined in the LDP, the site is also subject to Policy MD5 – Development within settlement boundaries. This states that new development within these settlements will be permitted where the proposed development:

3) is of scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptable impact upon the character and appearance of the locality. Further guidance is provided with regard to side extensions within the adopted Residential and Householder SPG as aforementioned. This includes that the symmetry of pairs should be respected; new extensions should not result in a terracing impact and that the ridgeline of the roof should be lower than that of the main roof.

The proposed extension would be set nominally (20cm) from the boundary with the neighbouring property, nominally down from the ridge of the main dwelling (10cm) and 30cm back from the principal elevation. The existing street scene comprises of similarly designed pairs, with gaps within the frontage that provide visual relief between dwellings. Owing to the lack of appreciable set off, set back or set down of the proposed extension, the proposal would significantly erode the gap between the host dwelling and the neighbouring property of 14 Philadelphia Close to the south, to the detriment of the existing feeling of spaciousness within the host street scene. This would be at odds within the guidance within the Council's adopted Residential and Householder SPG including that at paragraphs 8.8.1 and 8.8.2 as aforementioned.

It is acknowledged that some properties within Philadelphia Close have had two storey side extensions added previously. This includes those to numbers 16 and 27, although these are at the end of their rows and have no immediate neighbours and as such do not result in a harmful terracing impact as identified within the previously mentioned guidance. Number 9 has been extended under application 2002/01568/FUL in a similar fashion to the application site albeit is on a corner location and only maintains a gap by virtue of the lack of development at the neighbouring property and there has been a substantive shift in policy since its construction. Number 5 also has a two storey side extension although the first floor is set significantly back from the front elevation, is considered to be materially different and does not set a precedent for harmful development such as that currently proposed.

Noting all of the above, it is considered that the presence of other two storey extensions that either have different circumstances or were consented prior to the adoption of the LDP does not set a presumption in favour of the proposals nor does existing development at odds with the guidance within the adopted SPG set a precedent for further harmful development.

The works to the rear of the property would be clearly visible owing to the open nature of the wider estate and the views across the property from the public highway to the rear. Although a proposed site plan has not been provided it is evident that the properties benefit from relatively shallow rear gardens and the proposed rear extension would project to within circa 4.5 metres of the rear boundary. It is considered that the works to the rear, including the substantial rear dormer, would be clearly visible from the street scene, and would add cumulatively to the sense of increased scale and overdevelopment at the site.

Overall, in terms of design and visual impacts, it is considered that the proposal for a two storey extension to the side and rear would detrimentally harm the character of the dwelling due to its overly large scale and resulting terracing impact that would unacceptably impact on the street scene. Consequently, it would not be in compliance with Policies MD2 and MD5 of the Vale of Glamorgan adopted LDP and the guidance contained within the adopted Residential and Householder SPG.

Amenity provision

Policy MD2 of the LDP states that in order to create high quality, healthy, sustainable and locally distinct places development proposals should meet the requirements of the listed criteria. These include criteria 8 and 9 as below:

8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;

9. Provide public open space, private amenity space and car parking in accordance with the council's standards.

Section 10 (Amenity Space) of the adopted Residential and Householder Development SPG states that:

[Amenity] space associated with residential properties includes front gardens and private rear gardens. It does not include footpaths, driveways and parking areas. Amenity space is essential and provides a number of important functions that contribute towards a resident's enjoyment of a property. Those essential functions include space for relaxation, entertainment and play; gardening and cultivation; clothes washing and drying; DIY; and waste, cycle and other domestic storage.

Design Standards 4 and 5 of the SPG states that:

4. For houses, a minimum of 20 sq.m amenity space per person should be provided, and the majority should be private garden space.*

**typically a 2 bed house would have 3 persons, 3+ bedrooms would typically have 4 persons.*

The proposal would significantly increase the footprint of the main dwelling resulting in the loss of the side yard area and extending the property significantly to the rear. The proposals would however result in the demolition of the existing outbuilding within the rear garden. The existing rear garden and side yard currently provides

circa 70 square metres of enclosed amenity provision to serve a 3 bedroom property. The proposed extensions would result in the reduction of this area to a circa 4.5m x 9m area with an area of approximately 40 square metres to serve a 5 bedroom property, a significant shortfall for a property the size as proposed. This is considered to further demonstrate that the proposals result in an overdevelopment of the plot at odds with the provisions of the LDP and supporting guidance.

Impact upon neighbouring properties

In terms of impact on the neighbouring properties, criterion 8 of policy MD2 (Design of New Development) states that proposals should;

8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;

It is recognised that the existing outbuilding is situated along much of the boundary with number 14 albeit is single storey in height with a pitched roof. The two storey side extension would be set adjacent to the side yard area of the neighbouring dwelling that includes a ground and first floor openings. These openings would appear to serve non-habitable rooms or be secondary windows whilst the yard to the side does not appear to represent the neighbouring property's main area of amenity space. Noting this and the proposals location to the north, it is considered that the two storey side extension between the properties would not cause undue detriment to the amenity enjoyed by occupiers of the neighbouring dwelling.

However, the proposals would result in the introduction of a two storey extension beyond the rear of the existing dwelling. This would be along a significant proportion of the rear garden with circa 4.5 metres extending beyond the principal two storey rear elevation of the neighbouring property, although it is acknowledged that there is a conservatory to the rear that extends beyond this. Whilst it is acknowledged that the submissions include an asymmetric roof that seeks to reduce the eaves height adjacent to the boundary this is still a significant height (circa 3.7 metres). Noting the relatively modest length of the garden at the neighbouring dwelling, owing to the depth and position immediately adjacent to the shared boundary, it is considered that the proposed two storey extension would represent an appreciable and dominating presence. This would significantly alter the outlook of occupiers of No 14 and appear unduly overbearing, particularly when viewed from the rear garden, and conservatory of 14 Philadelphia Close. The proposals would result in the loss of the significant outbuilding from the rear garden although this would not outweigh the likely significant impact that would result from the proposals.

Although it is noted that the additional mass proposed to the rear of the property would be appreciable from the neighbouring property of No. 10 and to the south, it is considered that the proposals would be adequately set off the boundary with No 10 so as not to cause an unacceptable impact upon the amenity enjoyed by occupiers of this property.

The proposal is therefore considered to be contrary to policies MD2 (criteria 8) of the LDP, and paragraph and 9.2 of the Council's Residential and Householder Development SPG.

Highways

The proposals would result in an increase in the number of bedrooms at the property from 3 to 5 with the maintenance of two spaces on the site frontage. This is deficient when compared to the Council's adopted Parking Standards, although it must be noted that these are maximum standards. It would also appear that there is sufficient capacity on-street to accommodate for the parking demand for the property. As such it is considered that any shortfall is not sufficient to warrant refusal of permission in this instance.

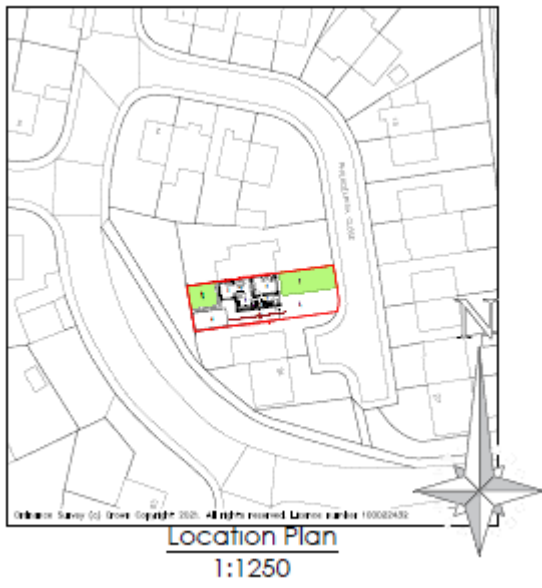
RECOMMENDATION

The above is a succinct assessment of the issues surrounding the previously refused application and still apply in this instance – the proposal is still of a scale and bulk as to appear unneighbourly, excessive and detrimental to both the character and appearance of the street scene and neighbouring dwellings amenity. The increase in set-in from the boundary would do little to alleviate the concerns highlighted above which are rooted in the Council's Policy and Guidance.

Objections to the scheme are therefore recommended on this basis:

1. The proposal, due to its siting and scale would represent an unacceptable and visually incongruous form of development which would result in an unacceptable overdevelopment of the site and terracing impact that would be out of keeping with and harmful to the established character of the street scene. The proposal would therefore be contrary to Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD2 (Design Of New Development) & MD5 (Development within Settlement Boundaries) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and adopted the Supplementary Planning Guidance 'Residential and Householder Development' (2018) and national guidance for development in conservation Planning Policy Wales (Edition 11, 2021) and TAN12 (Design).
2. The proposal, by virtue of its siting and design would have an adverse impact on the residential amenity of neighbouring occupiers of 14 Philadelphia Close and future occupiers of the development itself owing to lack of suitable retained amenity space, contrary to policy MD2 - Design of New Development of the Vale of Glamorgan Local Development Plan 2011 - 2026 and Supplementary Planning Guidance on Residential and Householder Development and national guidance contained in Planning Policy Wales (Edition 11) and Technical Advice Note 12 - Design.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 3 JANUARY 2023

COMMENTS DEADLINE – 24 JANUARY 2023

APPLICATION NO. (S)	2022/01354/FUL
LOCATION	13, Clos Llawhaden, Barry
WARD	Gibbonsdown
APPLICANT	Newydd Housing Association
PROPOSED DEVELOPMENT	New external ramped access with new handrails, and all associated works

BACKGROUND

13 Clos Llawhaden is a modern, semi-detached dwellinghouse situated within the Gibbonsdown Ward. The site is located within a large, modern estate; towards the end of the Clos Llawhaden cul-de-sac and amongst other residential dwelling of predominantly similar design. The property has a red brick finish, with grey concrete tile roofing, a low brick wall just beyond the front elevation and a small drive to its front in use as off-street parking.

PROPOSAL

This application seeks planning permission for alterations on or around the front of the dwelling to increase accessibility options. The proposal includes alterations to the ACO channel / drainage, installation of several small handrails near the entrance to the dwelling and alterations to the front path in order to install a slope with a gradient of 1 in 12 to facilitate disabled access to the front door. All alterations would be located behind the low brick wall to the front of the dwelling and would have limited to no visibility or impact on the street scene of Clos Llawhaden.

RECOMMENDATION

The proposals are considered acceptable in terms of their design, siting and appearance and would not cause harm to the amenities of adjacent occupiers or the character of the street scene.

SITE PLAN



Site Location Plan

1 : 1250

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 13 JANUARY 2023

COMMENTS DEADLINE – 3 FEBRUARY 2023

APPLICATION NO. (S)	2022/01357/FUL
LOCATION	215, Ffordd Y Dociau, Barry
WARD	Baruc
APPLICANT	Mr Alan Griffiths
PROPOSED DEVELOPMENT	Garage conversion to living space and new raised decking and steps area to rear

BACKGROUND

The application site lies towards the north eastern side of Ffordd Y Dociau, towards the end of the estate and contains a three-storey dwellinghouse of modern design. Ffordd Y Dociau is part of the modern, 'Barry Waterfront' development.

The dwelling itself is semi-detached, with an off-white render and uPVC panel finish and benefits from an integral garage and generous drive to the front of the dwelling. The dwelling is adjoined to the north by No.213, the neighbouring semi and to the south by a large, four-storey, block of flats.

There are no article 4 directions found to be related to the site and several other similar developments regarding garage conversions have been completed in the locality, specifically to No's. 197 & 199.

PROPOSAL

The proposals relate to a small area of raised decking situated directly to the rear of the dwelling which would allow egress from the ground floor rear fenestrations of the property. Further to this a garage conversion is proposed.

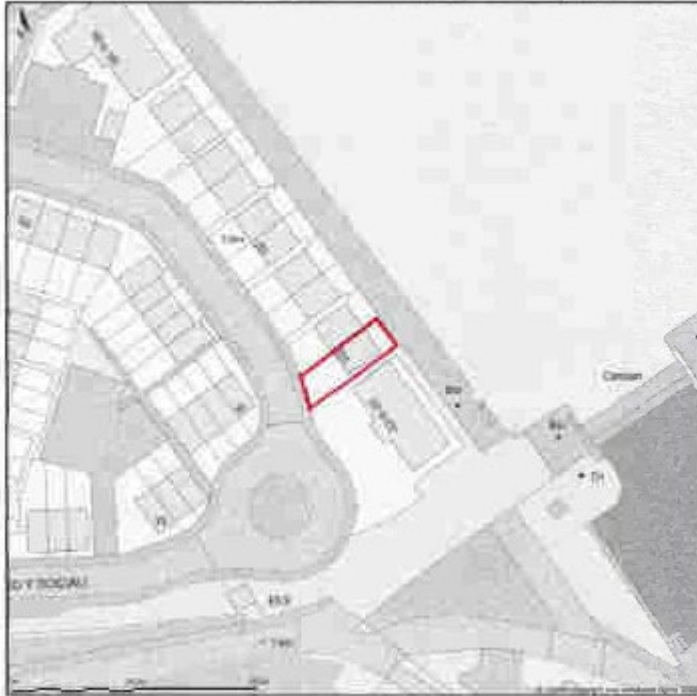
OBSERVATIONS

The proposed garage conversion could be carried out entirely through the dwellings permitted development allowance. It is likely that the local planning authority will not raise issue with such a conversion due to this and the precedents that exist within the locality.

The rear decking area is the more contentious aspect of this application. The dwellings off this side of Ffordd Y Dociau benefit from relatively small amenity areas. The result of any raised decking to the rear of these properties would be a noticeable loss of privacy for neighbouring occupiers which the local authority is likely to take issue with. A more recommendable scheme may be one where the applicant retains a set of steps to a decking area situated at the ground level of the garden rather than above. Alternatively, opaque privacy screens could be proposed.

SITE PLAN

215, Ffordd Y Dociau, Barry, Vale Of Glamorgan, CF62 5DX



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 6 JANUARY 2023

COMMENTS DEADLINE – 27 JANUARY 2023

APPLICATION NO. (S)	2022/01365/RG3
LOCATION	Porthkerry Play Area, Barry
WARD	Baruc
APPLICANT	Mr. Stephen Pickering
PROPOSED DEVELOPMENT	Installation of two new items of play equipment (climbing net and ship) to replace existing units of similar size. The other works to regrade the play area are not included as they are seen as permitted development under Class A (General Permitted Development Order 1995)

BACKGROUND

The application site is located within Porthkerry Park, Barry and contains a children's play area. The Country Park itself is spread across some 220 acres and is crossed by several established PROW including one which abuts the site. A small 'hut' lies directly to the south of the site, with a café also present to the north; both being in A1/A3 usage. The site lies within the C2 Flood Zone.

PROPOSAL

The application relates to the replacement of two existing 'play' units with two of similar size (climbing net & ship). Both would be situated within the existing play area. As referenced in the supporting statement submitted to accompany the application:

"The new units will be mainly manufactured from robinia timber with some metal items such as slides and rope climbing frames. They have been chosen as part of a wider theme for the play area which references nature. The timber has been chosen as it was requested by local residents in consultation as the preferred material.

The units have ground level and elevated play options allowing for children from a range of ages to play together. The highest part of the climber unit being the top of the pole at 4.37ms, the highest part of the ship climber unit is 6.40ms."

BIODIVERSITY

Considering that the application is for replacement play equipment in an established children's play area, the ecological impact of the development is considered acceptable and no mitigation would be required

RECOMMENDATION

The application for replacement play equipment would have no negative impact upon the character and appearance of the locality and would not be classed as a development that would be at risk from its position within the Flood Zone. No negative comments tendered.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 9 JANUARY 2023

COMMENTS DEADLINE – 30 JANUARY 2023

APPLICATION NO. (S)	2022/01372/FUL
LOCATION	Longford Park, Highlight Lane, Barry
WARD	Dyfan
APPLICANT	Mr. John Beer
PROPOSED DEVELOPMENT	Loft conversion (extending from the rear gables), single storey extension to side and rear, new double garage to front

BACKGROUND

The application site is located within Highlight Lane, Barry and contains a traditional, four bedroom, bungalow dwelling. The bungalow is of traditional design and appearance, however it has benefitted from previous additions which do not appear to have any formal consent – however, these may have been implemented through the dwellings permitted development allowance. The surrounding housing types are predominantly bungalows that vary greatly in terms of scale, architectural style and external finishes.

PROPOSAL

The proposals relate to several additions and alterations to ‘Longford Park’ which would increase the bulk and appearance of the property. The single storey, flat roofed extensions would be to the front (north east) of the property by way of a double garage and side/rear (west/south west) of the property by way of a ground floor addition. The remaining alterations / additions would result in a 1 ½ storey extension to the rear of the property (ground floor and roofing profile) which would replace several smaller additions in situ. The proposal would not increase the number of bedrooms which benefit the dwelling but would provide more primary living space to the occupiers through a larger kitchen, living room, lounge, office etc.

RECOMMENDATION

The proposed alterations/additions would serve to ‘tidy up’ the appearance of the dwelling by making for a more uniform approach to roofing profile and layout. The majority of the works would be contained entirely to the rear of the host dwelling, where they would not be directly visible from Highlight Lane and would only be visible from oblique public vantage points.

The bulk of the proposals are set a fair distance of either adjoining neighbouring properties boundary and would not result in any significant loss of light, outlook or increased sense of enclosure for either the dwelling to the west (Shelton) or dwelling to the east (Northcliff).

Openings above ground floor level are based to the front and rear elevation only, featuring either views of the public highway or rear garden of the dwelling. Properties beyond the highway and rear garden (north & south) are separated by too great a distance from the proposals to see any real impact in terms of loss of privacy or any other amenity.

No adverse comments tendered.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 10 JANUARY 2023

COMMENTS DEADLINE – 31 JANUARY 2023

APPLICATION NO. (S)	2022/01379/FUL
LOCATION	Welsh Hawking Centre, Waycock Road, Barry
WARD	Dyfan
APPLICANT	Munro
PROPOSED DEVELOPMENT	Proposed change of use and extension of building to a Rural Enterprise Dwelling and associated development

BACKGROUND

The property is located within and shares access with 'The Welsh Hawking Centre' site. The site is also located within the Dyffryn Basin & Ridge Slopes Special Landscape Area and lies outside of any settlement boundary. Section 2 of the submitted RED appraisal deals with an overview of the Hawking Centre. Excerpts confirm that:

"The Centre has been operating on the site for over 40 years and has developed an international reputation for the breeding and rearing of raptors. It has grown to be one of the largest breeding centres in the U.K."

And:

"Over recent years the business has grown considerably, increasing turnover each year by approximately 50-60% last 4 years. Approximately 100 birds were hatched at the Centre and exported to the Middle East in 2020. This figure is expected to continue to grow as production has increased by 50-70% annually over recent breeding seasons."

PROPOSAL

The application relates to the change of use of and alteration/extensions to a building in order to allow for its use as a Rural Enterprise Dwelling. The proposal would be accessed via the same network which serves the wider Hawking Centre.

TAN 6, 'Planning for Sustainable Rural Communities', highlights the need to allow for isolated, residential rural development on the proviso that the applicant provides the information required in order for a careful assessment to occur which would justify the addition of the dwelling within open countryside through reference to robust supporting evidence.

The proposal accords with the requirement of TAN 6 in that it would be *"A new dwelling on an established rural enterprise (including farms) where there is a*

functional need for a full time worker and the business case demonstrates that the employment is likely to remain financially sustainable. (See paragraph 4.4.1)."

As such the dwelling must meet the remaining five tests highlighted within TAN 6 to demonstrate the 'Robust Evidence':

- **The functional test** to provide evidence of whether there is a need for a resident worker for the proper functioning of the enterprise. (See paragraph 4.8.1).
- **The time test** to provide evidence of the labour requirement for the worker who is working on the justifying enterprise. (See paragraphs 4.9.1).
- **The financial test** to provide evidence of the economic sustainability of the justifying enterprise and identify the size of dwelling that the enterprise can sustain, ensuring that the size of the dwelling is commensurate with its functional need and financial justification. (See paragraphs 4.10.1 - 4.10.3).
- **The other dwellings test** to identify whether there is an existing dwelling or building suitable for conversion on the enterprise or dwelling in the locality that could meet the identified functional need. (See paragraphs 4.11.1 - 4.11.2).
- **Other normal planning requirements test** to demonstrate that the dwelling is suitably located to fulfil its identified need and to minimise impact on the wider environment. (See paragraphs 4.12.1 - 4.12.2).

On balance, and on the basis of the information submitted, it appears that both the functional and time test have been met.

Information regarding the financial test has not and will not be released considering its sensitive nature, except to the LPA, and therefore cannot be commented upon.

The other dwellings test, on the basis of the information submitted, indicated that there are currently two dwellings on site, referred to as the "Main Bungalow" and "The Shack" (a residential annexe). Both currently house the existing, resident aviculturists who service the rural enterprise and, as the case has been made and accepted regarding the functional and time tests, it is agreed that the test has been met. Notwithstanding the above, previous consent '98/00068/FUL' will require the Council to enter into a legal agreement in order to rescind said consent and prevent further residential occupation at the site. This should be, in any case, surplus to requirements if the consent is agreed.

The existing dwelling, from submissions, appears to be of limited architectural merit and its conversion, along with the proposed extensions/alterations will likely be viewed as acceptable by the LPA subject to the tests above being met. It would not be viewable from public vantage points to the extent where it could be considered overbearing or detrimental and its position within the wider complex means it would not appear as out of character with its surroundings.

The proposal is not within a proximity to other residential dwellings to cause any issue with regard to lost residential amenity.

As such, with the limited impact on both the SLA, open countryside and neighbouring occupiers, it is advised that the proposals will likely pass the normal planning requirements test.

BIODIVERSITY

The existing building has been found to be a 'confirmed roost' for bats. As such, and in line with the information and mitigation measures submitted, it is likely that the LPA will request measures to ensure no harm comes to roosting bats including no works between set periods of the year, education for contractors working on site and inspection by a qualified ecologist at certain points of construction.

RECOMMENDATION

Barring the information not present and highlighted above, it seems likely that this application will be deemed acceptable by the LPA and that the information that has been submitted is sufficient to allow the dwelling within the site. No adverse comments tendered.

SITE PLAN



1 Site Location Plan
1 : 1250

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 10 JANUARY 2023

COMMENTS DEADLINE – 31 JANUARY 2023

APPLICATION NO. (S)	2023/00010/FUL
LOCATION	1A, Liscum Way, Barry
WARD	Illtyd
APPLICANT	Mr & Mrs J & W McTavish
PROPOSED DEVELOPMENT	Removal of existing conservatory. Proposed single storey front, side and rear extension and associated internal alterations

BACKGROUND

The application site is located towards the southern side of Liscum Way and contains a two-storey, semi-detached dwellinghouse. The dwelling has a traditional red brick and concrete tile roof finish. The dwelling is adjoined to the west by the attached semi of 3 Liscum Way, with No.1 Liscum way being the adjacent dwelling to the east. The site abuts Barry Fire Station to the rear (south) and the public highway to the front (north), with residential dwellings beyond. There are several historic planning applications that are in relation to the site but none of which have any material bearing upon the application under consideration.

PROPOSAL

The proposal relates to additions/alterations to the front, side and rear of the dwelling in the form of a 'wraparound' extension. The proposal would provide for a residential annexe to the ground floor of the dwelling as per the submitted plans. The proposal would be situated at ground floor level only and mirrors several other extensions that have been completed within the street, including to the neighbouring semi, No.3. Fenestrations are proposed to the front and rear elevations only, with several small rooflights also proposed.

RECOMMENDATION

The proposal, whilst large, is in-keeping with the character and appearance of several similar developments within the locality.

No openings are proposed to the side elevation, so there would be no potential for loss of privacy to occur for No.1 Liscum Way. Openings to the front and rear would either look out upon the amenity area of 1A or the public highway, with dwellings beyond considered to be positioned far enough away from the proposals as to see no impact in terms of lost amenity.

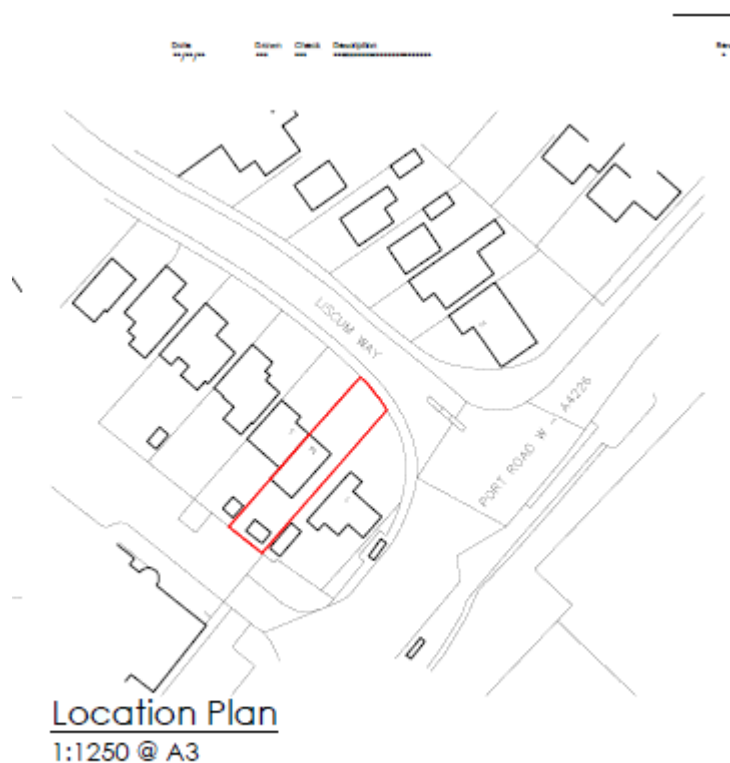
The extension to the rear would run along the common boundary between No's. 1A & 3. Whilst some loss of amenity would occur through the slight overbearing nature

and proximity of the proposal, as well as the loss of light and outlook from the ground floor rear facing windows that service No.3, it is considered to be within acceptable bounds. This is further reinforced by the pre-existing conservatory that would be removed as part of this proposal, which inhabits this space currently.

It is acknowledged that the roofing profile of the development, the proposed building line to the front, the lack of set-back from the front and the lack of set-in from the side boundary are all at odds with the 'Residential & Householder Development (2018)' SPG; however, considering the numerous similar developments present within Liscum Way, it is not considered that the proposal would be out-of-keeping with the character of the locality. It is also acknowledged that the local planning authority may hold a different view.

As such, and with regard to the above, it is recommended that no objection to the scheme be tendered.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 12 JANUARY 2023

COMMENTS DEADLINE – 2 FEBRUARY 2023

APPLICATION NO. (S)	2023/00018/PNT
LOCATION	Barry Road street works, Barry
WARD	Dyfan
APPLICANT	CK Hutchison Networks (UK) Ltd
PROPOSED DEVELOPMENT	Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets

BACKGROUND

No plans have been made available to view the proposal on VOG planning register. As such these comments are based upon the information available and are subject to change following release of further plans.

The proposal appears to be located within the curtilage of and adjacent to 'The Cherry Orchard' Public House. The actual location, siting, height etc. of the proposals are unknown at this time due to lack of information available.

The application is for the prior notification of telecommunication equipment as set out in Schedule 2, Part 24 (Development by Telecommunications Code Systems Operators (Wales)) of the Town and Country Planning (General Permitted Development) Order 1995, as amended by the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019.

PROPOSAL

The application relates to a proposed 5G telecoms installation, including a H3G 15m street pole and additional equipment cabinets. No further information / plans are available at this time.

The proposal will be assessed against Article 3, Schedule 2, Part 24, Class A (a) of the GPDO as stated above.

OBSERVATIONS

Working purely on the information available and with a lack of plans etc. it appears that the proposal would comply with the terms & conditions of Part 24, Development by Telecommunications Code Systems Operators (Wales) contained in The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019.

The Local Planning Authority will likely rule that prior approval for the siting and appearance of the proposal is not required.

SITE PLAN

NOT PROVIDED

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 31 JANUARY 2023

EFFECTIVE DATE OF RECEIPT – 23 JANUARY 2023

COMMENTS DEADLINE – 13 FEBRUARY 2023

APPLICATION NO. (S)	2023/00064/RG3
LOCATION	Cold Knap Gardens, Lakeside, Barry
WARD	Baruc
APPLICANT	Vale of Glamorgan Council
PROPOSED DEVELOPMENT	Replacement of the existing skate park with a new concrete wheeled sports facility and alterations to the path layout in Cold Knap Park to improve accessibility

BACKGROUND

The application site is located within 'The Knap' park, Barry and contains the 'Richard Taylor Memorial Skatepark'. Cold Knap park is registered as a Grade II Park on the CADW register.

PROPOSAL

The application relates to the replacement of the temporary structures of the skatepark with a new, bespoke, concrete facility. The proposal also includes alterations to the access and footways surrounding the skatepark in order to facilitate more accessible options.

RECOMMENDATION

The proposal is for a replacement facility that is much like the existing both in form and function. There would be a minimal impact to the visual amenity of the site due to this fact. Furthermore, it is not considered that the character and appearance of the conservation area or park would be detrimentally affected through the alterations/replacements. It is therefore considered unlikely that the local planning authority would take issue with the proposal on this basis.

The position of the facility, which is mostly shielded from its surroundings, mean that the proposal is unlikely to be considered detrimental to the amenities of any nearby occupier, who are all situated at a considerable distance from the site.

Members are advised that the proposal will likely be considered to enhance existing facilities at the site and provide a safer, more controlled environment for an increased range of activities. This would be in line with Policy REC2 and the advice contained within TAN 16 - Sport and Recreation.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE	31 JANUARY 2023	AGENDA ITEM: 8
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DECISIONS TAKEN BY THE LOCAL PLANNING AUTHORITY ON RELEVANT PLANNING APPLICATIONS

Purpose of Report

The purpose of this report is to advise Councillors of the outcome of various planning applications determined by the Vale of Glamorgan Council as Local Planning Authority. The applications and decisions on each one are listed below in tabular form, for ease of reference.

Recommendation

The Committee is recommended to receive and note the contents of the information set out below in relation to each application considered by the Town Council's Planning Committee at a previous meeting, and the Local Planning Authority's decision in each case.

Application No.	Address and Development Proposed	LPA's Decision	Barry Town Councils Observation
2022/01008/FUL	Change of Use from A3 Restaurant to Sui Generis Beauty Salon at Unit 445, District Centre, Barry Waterfront, Ffordd Y Mileniwm, Barry	Approved 07/12/2022	No objection
2022/00651/FUL	Change of use from 2 self-contained flats to 10 bedsitting rooms at 23A, Cardiff Road, Barry	Approved 13/12/2022	Concerns Raised
2022/01015/FUL	Demolition of existing side extension and replacement with two storey side extension. One and a half storey extension and dormer to principal elevation. Modernisation and alterations to existing dwelling at The Dales, Little Brynhill Lane, Barry	Approved 14/12/2022	No objection
2022/00667/FUL	First floor extension, ground floor garage conversion and single storey rear elevation extension at 10, Gibbonsdown Close, Barry	Approved 14/12/2022	No objection
2022/01224/FUL	Demolition of existing rear extension and build new single storey extension to rear of property at 2, St. Lythans Road, Barry	Approved 15/12/2022	No objection

2022/01061/FUL	Single storey rear and side extension, car port to side elevation and new front porch and car port canopy at 290, Barry Road, Barry	Approved 18/12/2022	No objection
2022/01186/FUL	Demolition of existing conservatory. New rear extension and front porch replacement at 27, Pencoedre Road, Barry	Approved 16/12/2022	No objection
2022/01176/FUL	Ground floor bedroom and ensuite. Single storey lean to side extension with a pitched roof. All finishes to match existing at 37, Sherbourne Close, Barry	Approved 21/12/2022	No objection
2022/01169/FUL	Minor alterations to elevations to include the construction of a 5.5 sqm extension bumped out under eaves, the relocation of the entrance with new sliding door, a new access door installed, replacement glazing and associated works to the site at McDonalds Restaurants Ltd., Ty Verlon Industrial Estate, Barry	Approved 21/12/2022	No objection
2022/00926/FUL	Change of use of a commercial building, currently offices, into a domestic dwelling at 163, Holton Road, Barry	Approved 22/12/2022	No objection
2022/01125/FUL	Installation of Photovoltaic system to the flat roof area of Morrisons supermarket Barry. Installation to be lower than the surrounding parapet. mounting system will be no more than 400mm for the flat roof. Installation will be lower than the existing plant and equipment at Wm Morrison Supermarkets Plc, Heol Ceiniog, Barry	Approved 10/01/2023	No objection

Notification of a Premises Licence Applications

The Licensing Act 2003

a) Former Teddy T's and Rumba, Friars Road, Barry, CF62 5TR

The application seeks permission for;

Sale of Alcohol (for consumption ON and OFF the premises)

10:00 to 23:00 Monday to Sunday

Bank holidays to 24:00

Live Music

24:00 Friday & Saturday

18:00 to 23:00 Sunday

Recorded music

10:00 to 23:00 Monday to Sunday

24:00 Bank Holidays

Late night refreshment

24:00 Bank Holidays

b) Old Street Lounge 4 Broad Street, Barry, CF62 7AA

The application seeks permission for;

Sale of Alcohol (for consumption ON the premises)

12:00 to 23:00 Monday to Friday

17:00 to 23:00 Saturday

Recorded Music

06:00 to 23:00 Monday to Friday

17:00 to 23:00 Saturday

c) Atlantic Café, 1 Wimbourne Road, Barry CF63 3HD

The application seeks permission for;

Sale of Alcohol (for consumption on the premises)

12 Noon to 21:30 seven days a week

RECOMMENDATIONS

No objections but Members comments are requested.