CYNGOR TREF Y BARRI
BARRY TOWN COUNCIL

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PURSUANT TO THE REQUIREMENTS OF THE BELOW STATUTORY PROVISIONS, NOTICE IS HEREBY GIVEN THAT A MEETING OF THE PLANNING COMMITTEE WILL BE HELD ON A HYBRID BASIS IN THE COUNCIL CHAMBER, TOWN HALL, KING SQUARE, BARRY, CF63 4RW AND REMOTELY TUESDAY 3 SEPTEMBER 2024 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

This is a public meeting and any resident of Barry may attend in person or remotely; for remote access details, please contact info@barrytowncouncil.gov.uk Should members of the public wish to address the Committee in relation to any of the planning applications set out below, they will need to raise their hands when the application in question is reached. The Chairperson will then seek the Committee's permission to allow them to address Councillors on the application about to be discussed.

Yours faithfully

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 approve the minutes of the Planning Committee's Meeting held on 30 July 2024** **(Pages 942 - 946)**

Planning Issues

5. **To consider Planning Applications:**
(Pages 947 - 955)

a) Planning Application No. 2024/00605/FUL – The proposed residential development of 4 no. dwellings in total, consisting of 2 no. single storey one bedroom dwellings and 2 no. two storey 2 bedroom dwellings together with the provision and incorporation of the associated on- site car parking, amenity space, cycle storage and property waste bin storage and collection facilities at The Site to the Rear of Plas Cleddau, Cwm Talwg, Barry

b) Planning Application No. CAS-03595-V1Q7P7 – Retrospective application for the erection of timber close boarded fencing to protect the secure amenity space forming the primary garden area of the dwelling (Refused: 21/05/2024) at 1 Hazledene Close, Barry

c) Planning Application No. CAS-03606-S7N8C1 – Proposed new first floor room over existing lounge. Associated internal remodelling and exterior cladding. New flat roofs to existing dormers to match proposed works at 2 Min Y Mor, Barry

6. **To consider Tabled Applications** **(None Received)**

None received.

7. **Local Planning Authority Decisions** **(Pages 956 - 957)**

8. **Notification of a Premises Licence Review**
(Page 958)

9. **Applications Dealt with Under Delegated Powers – For information only** **(Pages 959 - 975)**

a) Planning Application No.2024/00625/FUL – Convert garage to living room and loft conversion with erection of a dormer in the rear roof at 25 Gelyn Y Cler, Barry

b) Planning Application No. 2024/00635/FUL – Retrospective planning permission for increased dimension of both previously approved dormers on the front elevation (East facing), insertion of bi-folding doors on the rear elevation (West facing), insertion of additional skylight on the roof-slope of the rear elevation (West facing), omission of door on the side elevation (South facing), changed door

type on front elevation (East facing) at 2 Bungalow, Waycock Road, Barry

c) Planning Application No. 2024/00646/FUL – Erect a storm porch to the front elevation at 10 Adar Y Mor, Barry

d) Planning Application No. 2024/00647/FUL – Proposed single storey side extension, with all associated external works including raised patio area at 19 Suran Y Gog, Barry

e) Planning Application No. 2024/00649/RG3 – Conversion of primary school building into day care nursery facility and the construction of new single storey flat roof extension, raised decking area, playground area, car parking, access ramp & landscaping etc at Cadoxton Primary School Victoria Park Road, Barry

f) Planning Application No. 2024/00671/FUL – Change of use of industrial units to veterinary practice (D1), internal alterations, enclosures to existing parking area and minor fenestration changes (to existing openings) and associated works at Vale Veterinary Centre, Units 18/ 19, Ty Verlon Industrial Estate, Barry

10. **Discharge of Condition Notice (to note)**

(Pages 976 - 977)

a) Planning Application No. 2020/01524/1/CD – Discharge of conditions at Haydock House, 1, Holton Road, Barry

11. **Date of Next Meeting**

The date of the next Planning Committee is scheduled for Tuesday 24 September 2024

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

This document is available in large print and other formats upon request/Cewch y ddogfen hon mewn pring bras a ffor matiau eraill drwy holi.

From 1 May 2021, the Local Government and Elections (Wales) Act 2021 sets out a statutory requirement that: As soon as reasonably practicable after a meeting of a community council, and in any event before the end of seven working days beginning with the day on which the meeting is held, the council must publish electronically a note setting out—

(a)the names of the members who attended the meeting, and any apologies for absence;
(b)any declarations of interest;
(c)any decision taken at the meeting, including the outcomes of any votes.

Barry Town Council meets this duty by publishing this information in the form of draft meeting minutes which will be displayed electronically within 7 working days after the meeting. It should be noted that these minutes are DRAFT and not agreed until the next meeting.

BARRY TOWN COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON TUESDAY 30 JULY 2024 AT 7:03PM

PRESENT: Councillor S Hodges (Chair) together with Councillors Ball (Vice-Chair), Collins, E S Goodjohn, and Hennessy

ALSO PRESENT: Greg Smart – Planning Officer
Courtney Parker – Administrator
Mrs K Medhurst– Observer

PL234. **APOLOGIES FOR ABSENCE**

Councillors Davies-Powell and E Goodjohn.

PL235. **TO RECEIVE DECLARATIONS OF INTEREST UNDER THE COUNCIL'S CODE OF CONDUCT**

Councillors E S Goodjohn and Hennessy announced a declaration of interest in regards to any Premise Licence Applications received due to being a member of Vale of Glamorgan Licencing Committee.

PL236. **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

PL237. **TO APPROVE THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 02 JULY 2024**

RESOLVED: That the minutes of the Planning Committees meeting held on 02 July 2024 be approved and signed as a correct record

PL238. **TO CONSIDER PLANNING APPLICATIONS**

a) Planning Application No. 2024/00539/FUL

Location: Monksilver, 62 The Parade, Barry
Development: Proposed Rear and Side Extensions, Balcony and detached Garage/Workshop

Members commented that the site was in need of improvement.

RESOLVED: No objection

b) Planning Application No. 2024/00522/FUL

Location: 26 Rhodfa Sweldon, Barry
Development: To convert the garage into a bedroom with shower facilities and door access into main house. Replace the existing garage door with patio doors. Internal alterations to adapt ground floor cloakroom to shower room

The Chair commented that there is already a precedence of similar work carried out within the Locality.

RESOLVED: No objection

c) Planning Application No. 2024/00559/FUL

Location: 3B Paget Road, Barry
Development: Conversion of 1.5 dwellings into one number two bedroom flat and one number one bedroom flat

The Planning Officer stated that there are multiple issues with the proposed application, one being the amenity space doesn't meet the requirement per person, The Planning Officer went on to add there is no designated parking.

Councillor Hennessy asked The Planning Officer if the precedent had already been set in the area as most neighbouring properties have been converted into flats

The Planning Officer replied yes, however this property has already been converted into apartments and is now seeking a further sub division, reducing the living standard of two units to create a third.

The Planning Officer presented the plans to the committee.
Councillor Hennessy added his concerns are raised due to the property being in a marine conservation area.

Councillor Thomas attempted to join the meeting at 07:15pm however was unable to so due to technical difficulties.

The Chair commented she has no issue with property being converted to flats however would like to flag concerns regarding amenity space.

Both Councillors Hennessy and Goodjohn agreed with the points raised.

Councillor Thomas made a second attempt to join the meeting at 07:22pm but was unsuccessful due to persistent technical difficulties.

RESOLVED: No Objection in principle, however would like to question if the living space is adequate & lack of amenity space for residents could be resolved.

d) Planning Application No. 2024/00263/FUL

Location: 49, White Farm, Barry
Development: The installation of a modular extension, housing a bedroom and a shower room. The extension will be positioned to the side of the property and will require the formation of a doorway from the existing living room into the extension.

Councillor Collins joined the meeting at 7:26pm

The Planning Officer presented the plans to committee.

RESOLVED: No objection

PL239. **TO CONSIDER TABLED APPLICATIONS**

None Received

PL240. **LOCAL PLANNING AUTHORITY DECISIONS**

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

The Chair moved agenda item number 8 to the final item so Councillors Goodjohn and Hennessy could leave the meeting.

PL241. **APPLICATIONS DEALT WITH UNDER DELEGATED POWERS – FOR INFORMATION ONLY**

None received.

PL242. **CORRESPONDENCE RECEIVED REGARDING BARRY BIOMASS INCINERATOR– DEFERRED FROM FULL COUNCIL 24 JUNE 2024**

The Chair stated that some things are outside of the Council's remit due to the limited powers Barry Town Council hold.

Councillor Hennessy said he has no issues with a town meeting being called.

Councillor Collins agreed adding she would like to hear from the main players.

Councillor Goodjohn agreed with all points raised, he also mentioned a good cause of action would be to hold a letter writing event, adding he would like to hear reasoning behind some decisions that have been made by the main players.

The Planning Officer pointed out that the last meeting which discussed the Biomass in detail was incredibly well attended and recommends that be taken into account when considering a possible future venue, therefore suggesting a meeting is called with all interested parties after the appeal has gone live.

Councillor Hennessy queries if there is any idea when the appeal will go live.

The Planning Officer informed the Committee that no date has been given.

The Chair added that the Planning Committee can make a recommendation on the item but cannot resolve it as there is no budget for this.

RECOMMENDEDED: That Barry Town Council calls An Extraordinary meeting of Councilafter the appeal documents have gone live in order to discuss the Biomass Appeal

PL243. **ALTERATIONS TO THE PLANNING OFFICER'S SCHEME OF DELEGATION FOR BARRY TOWN COUNCIL'S PLANNING FUNCTION**

The Chair states the Committee can only make a recommendation and not a decision, and continued to ask The Planning Officer to explain more.

The Planning Officer presented his report to the Committee, adding the proposal would give a more efficient procedure when needed during times like summer recess,. The Planning Officer said he recognised a failing on his part in not having a clearer Scheme of Delegation to present to the public when requested.

Councillor Hennessy said he was happy to support The Planning Officers recommendations.

The Chair concluded by saying unfortunately we do not hold the power to agree the proposals therefore asked all members if they are happy to recommend the proposals.

The Committee agreed.

RECOMMENDED: THAT the proposals within the report are adopted.

PL244. **DATE OF NEXT MEETING**

The date of the next Planning Committee is scheduled for Tuesday 3 September 2024

Councillors Goodjohn and Hennessy left the meeting at 7:46pm.

PL245. **NOTIFICATION OF PREMISES LICENCE APPLICATIONS**

Application for a Premises Licence – Daniael's Take Away, 24 Broad Street Parade, Barry CF62 7AN – Restarting consultation period. The Licensing Act 2003

The Chair informed members this is a consultation as notice was not put in the newspaper within the time frame required.

The Chair went on to add that alcohol is already easily obtained in this area during these hours but would be interested in what the Police's opinion would be regarding this.

Councillor Collins raised a concern regarding trouble regularly occurring in the area and questions if this would cause any further impact.

The Planning Officer stated the Police will likely be part of the consultation process.

Application for a Grant of Premises Licence – Greek Islands, 202 Holton Road, Barry, CF63 4HQ

PL246. **APPLICATIONS DEALT WITH UNDER DELEGATED POWERS – FOR INFORMATION ONLY**

None Received

Meeting closed at 7.51pm.

Signed……(Chairperson) Dated……..

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 23/07/2024

COMMENTS DEADLINE – 13/08/2024

APPLICATION NO. (S)	2024/00605/FUL
LOCATION	Site to the Rear of Plas Cleddau, Cwm Talwg, Barry
WARD	Illtyd
APPLICANT	Seel
PROPOSED DEVELOPMENT	The proposed residential development of 4 no. dwellings in total, consisting of 2 no. single storey one bedroom dwellings and 2 no. two storey 2 bedroom dwellings together with the provision and incorporation of the associated on- site car parking, amenity space, cycle storage and property waste bin storage and collection facilities.

BACKGROUND

As per Planning, Design & Access statement & Transport Note:

The application site comprises a level parcel of land at the rear of an existing block of flats and commercial units that front Plas Cleddau. The site is currently laid as tarmacadam.

The site currently serves as a private car parking area, with the proposals re-using the site for a proposed residential development of 4no. dwellings in total.

The rear of the properties served off Teifi Drive form the *(north)* ***western boundary of the site.***

The site des not fall within a conservation area (and does not lie) ***adjacent to any Listed Buildings.***

The site, beyond the original construction of the adjacent commercial and residential block (1985/00462/FUL) has previously seen two refusals on planning applications, one for residential development:

1998/00620/OUT, **Address**: Plas Cleddau, Cwm Talwg, Barry
Proposal: Erection of 4 no. semi-detached houses and block of 4 no. garages with associated car parking
Decision: Refused
Decision Date: 24/09/1998

1998/00621/FUL
Address: Plas Cleddau, Cwm Talwg, Barry

Proposal: Additional shoppers car parking off Plas Cleddau and 2 no. traffic calming ramps to rear service road
Decision: Refused
Decision Date: 04/09/1998

PROPOSAL

As per Planning, Design & Access statement & Transport Note:

The proposals would redevelop the site from a private car parking area to 4no. dwellings ***(2no. single storey, one-bedroom dwellings, 2no. two storey, two-bedroom dwellings). The proposal also includes the provision and incorporation of the associated on-site car parking, amenity space & cycle storage facilities.***

The dwellings would be located towards the north western boundary of the site, adjacent to the rear amenity areas of properties off Teifi Drive. The dwellings would come as two, semi-detached pairs, each featuring a two-storey house and one bungalow. The bungalows would be located closest to the north western end of the site, with the attached two-storey properties to the south east. Private amenity areas for each dwelling would be located towards their north eastern and south western sides respectively.

Access to the site would remain from a private lane (in applicant ownership) to the south of the main development. The lane is in turn attached to the public highway at Plas Cleddau (an unadopted road in VOGC ownership) and is already in beneficial use (in conjunction with the established commercial and residential block off Plas Cleddau). A further egress point from the development is proposed to its north eastern side of the site, by way of an exit only arrangement. This would again connect to Plas Cleddau.

A Transport Note has been submitted in aid of this application.

A Planning, Design & Access Statement has been submitted in aid of this application.

A Preliminary Ecological Appraisal has been submitted in aid of this application.

A Net Benefit Biodiversity / Green Infrastructure Plan has been submitted in aid of this application.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

Preliminary Ecological Appraisal – This appears sound and thorough. Makes comments or recommendations regarding nesting birds (tree removal or other works to be conducted outside of nesting bird season), bats (lighting designed to minimise light pollution), badgers (none), great crested newts (none) and common reptiles and amphibians (vegetation should be cleared in two stages with a 24hr break in between).

Further animals potentially linked to the site but not found on survey include hedgehogs and wild mammals.

All suggestions appear sound and can be easily incorporated into a CEMP or similar which the delegated officer can request by condition.

Net Benefit Biodiversity / Green Infrastructure Plan – offers less detail and undercuts the issues highlighted throughout the ecological appraisal. It is advised that it is disregarded for now, subject to the conditions recommended through the Ecological Appraisal being attached to any future consent. Members are welcome to express their concern.

OBSERVATIONS

The principal, location and sustainability of the development are acceptable in principal.

The submitted Planning, Design & Access Statement is lacking in key details however. See below for specific issues found throughout:

6.5 – makes reference to anti-social behaviour, no evidence provided.

6.6 – makes reference to ‘high quality design’ twice. Not expanded upon. (this phrase and similar appear multiple times throughout the report but are never actually expanded upon.

6.7 – mentions design and character of adjacent dwellings. This is never expanded upon.

6.9 – separations distances mentioned, actual distances never listed.

6.10 – internal layout, living standards, private amenity areas mentioned. ‘Highest quality landscaping’. No figured provided or referenced to actual space standards, local or national.

6.11 – development density mentioned. No figures for either development area or surrounding area. No indication of actual density requirements for locality and residential development.

6.12 – indicates design has reduced the impact of the proposal development on the residential amenities of adjacent occupiers. This is not explained i.e. we didn’t put this window there because . . .

Sections regarding Access, Parking & Movement are competently handled within the Transport Note and relayed within the Planning, Design & Access Statement.

Community Safety – no tangible explanation or reasoning that relates the impact of the development on the location. Active frontage is mentioned and natural surveillance.

Environmental Sustainability – comments regarding local labour force cannot be either enforced or monitored. Four further waste management keywords are used, no detail offered, no way to enforce or monitor.

7.12 – 'high quality approach'. no explanation.

7.13 – mentions rigorous design that responds to local context through scale, orientation, character and appearance. None of these are ever quantified, this could be for any residential development anywhere. Mention of evolution, no mention of previous stages or why they were abandoned.

7.14 – 'high quality' architecture. How this differs from normal architecture is not mentioned. It is accepted that the site will likely see an improvement to its appearance. Uses cannot improve from one to another, a public park, a car park and a house are not similar enough in requirement that they could be compared. No explanation for how this application actually protects or enhances the towns character. 'variety' of buildings is mentioned. The statement suggests that the proposal takes design cues from surrounding residential development, so it cannot be a variety in design. The proposals look to be similarly scaled to surrounding residential development so it is not a variety in scale. The proposals are for residential usage which the surrounding area has in abundance. The Ecological survey provided did go into detail regarding protection of the natural environment.

7.15 – how the proposal responds to anything is not explained in detail. The list of external materials used in the surrounding area are not explained, no way to know if the proposed materials would be in keeping. Its worth mentioning here that the delegated officer would likely condition materials and finishes anyway. 'high quality design'.

7.16 – the statement revolves heavily around the existing use of the site as a car park and does not justify the creation of the dwellings in any way beyond how poor the existing situation is supposed to be.

7.18 – sensitively positioned layout is mentioned. Not expanded upon.

7.19 – 25 degree test show for plot 3 & 4 only, the delegated officer will likely request those in relation to plots 1 & 2. The further justification in this section is agreed with.

7.20 – sufficient separation distance are mentioned, no figures given.

7.21 – generous amounts of internal and external space listed, no figures given, no comparisons with current standards given.

The submitted Transport Note is sound in its reasoning and methodology; however, there are two issues which are not adequately addressed. Specifically, whether the use of the private car park is tied to any of the residential or commercial units in proximity to the site. Paragraph 4.2.9 of the Transport Note indicated that there may already be come oversubscription of off-street parking spaces within close proximity or within the site itself. The removal of further parking spaces may result in potential issues to surrounding public highways.

The use of the site may not be tied to any surrounding off-street parking requirement which would negate this issue. It is worth noting that the VOGC's Highways department objected to the previous scheme for residential development in 1998 (1998/00620/OUT).

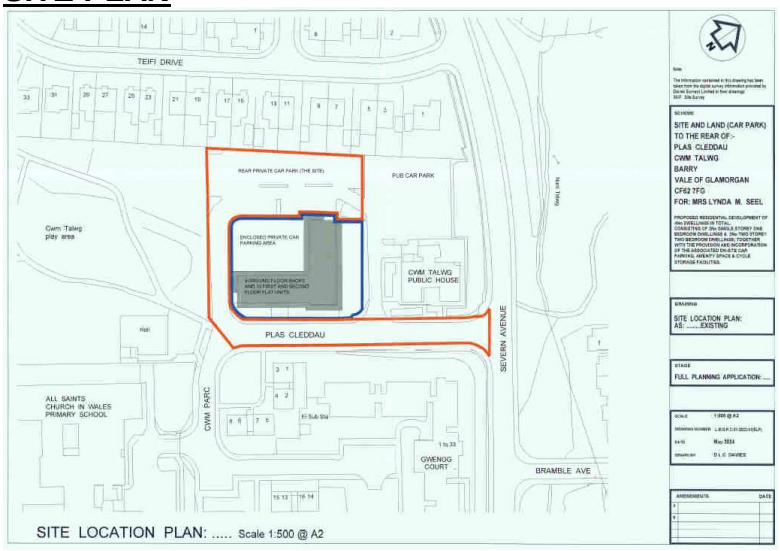
The design and reasoning regarding access, proposed parking for the units and visitors and the design of the private highway which would serve the development appear sound. This will be decided by the Highways & Planning officers.

In terms of impact upon visual amenity the proposal will likely be viewed in supportive terms, it cannot be said to constitute an overdevelopment of the site and is positioned well with its curtilage, minimizing the visual impact of the development on the wider area.

The design also appears to mitigate impact upon the residential amenity of the closest neighbouring properties to the north off Teifi Drive. Little is mentioned about the residential properties within the adjacent block of flats so it is assumed that they are positioned at first floor and above. Regardless the delegated officer will have to check.

Justification for access, proposed parking, ecological impact and mitigation are competently handled and should not form the basis of any reasons for refusal barring the issues regarding the current use of the site listed above.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 06/08/2024

COMMENTS DEADLINE – N/A None required.

PEDW APPLICATION NO.	CAS-03595-V1Q7P7
VOGC APPLICATION NO. (S)	2024/00044/FUL
LOCATION	1 Hazledene Close, Barry
WARD	Court
APPLICANT	Haines
PROPOSED DEVELOPMENT	Retrospective application for the erection of timber close boarded fencing to protect the secure amenity space forming the primary garden area of the dwelling (Refused: 21/05/2024)

BACKGROUND

PREVIOUS BTC REPORT AND RESPONSE:

BACKGROUND
The application site relates to a two storey, semi-detached dwelling located at 1 Hazledene Close. The site has no relevant planning history.

PROPOSAL
Retrospective planning permission is sought for the erection of a close boarded timber fence. The works to the fence were completed in May 2023. The proposed fence measures 1.8 metres in height and is situated to the side of the dwelling, along the front and side boundaries. The application states that the reason for the fence is to provide privacy within the front/side garden. It appears that the submission of the planning application is as a result of planning enforcement investigations.

RECOMMENDATION
The fence is highly visible within the streetscene and concerns are raised to its height and the use of materials. Although the application states that the fence is required to provide privacy, limited levels of privacy are expected within front gardens and it is noted that there is a private rear garden serving the dwelling. That being said, the proposed fence adjoins an existing fence at the neighbouring dwelling (albeit along Willow Crescent and not Hazledene Close) and the section adjacent to the highway would be permitted development therefore not requiring planning permission.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

OBSERVATIONS

As this appeal is a Householder Appeal, there is no opportunity for us to submit comments. However, all the representations made on the application have been forwarded to the Planning Inspector at PEDW and the appellant. These will be considered by the Inspector when determining the appeal.

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 15/08/2024

COMMENTS DEADLINE – N/A None required.

PEDW APPLICATION NO. (S)	CAS-03606-S7N8C1
VOG APPLICATION No.	2024/00213/FUL
LOCATION	12 Min Y Mor, Barry
WARD	Baruc
APPLICANT	Cheeseman
PROPOSED DEVELOPMENT	Proposed new first floor room over existing lounge. Associated internal remodelling and exterior cladding. New flat roofs to existing dormers to match proposed works

BACKGROUND

PREVIOUS BTC REPORT AND RESPONSE:

The application site relates to No.12 Min y Mor, a bungalow located within the Barry Settlement boundary as identified by the Vale of Glamorgan adopted Local Development Plan 2011 – 2026. The street scene is relatively mixed, and includes multiple two-storey dwellings, and front roof slope dormers.

PROPOSAL

The applicant proposes a new first floor front extension to replace the existing gable end projection currently in situ. The proposal would feature a flat roofing profile. Smaller scale alterations are proposed to the remainder of the host dwelling, including interior remodelling and exterior cladding. Existing dormers would have their gable end roofing profile replaced with a flat roofing profile.

OBSERVATIONS

The ancillary changes like the alterations to cladding and the roofing profiles of the existing dormers would have no negative impact upon the residential amenity of adjacent occupiers or the visual amenity of the host dwelling or wider street scene.

The first floor front extension would pose no greater harm to the residential amenity of adjacent occupiers than that which already occurs between the properties.

The first floor extension is not of a wholly appealing aesthetic and would alter the appearance of the host dwelling radically from the street scene. The

alterations to the existing dormers would ensure some continuity with the appearance of the extension and that of the host dwelling. Whilst not of any particular architectural merit it is still considered that the proposal does not result in such harm to either the visual amenity of the host property or wider street scene as to justify the refusal of the application on this basis.

It is recommended that members note the application but log neither an objection or letter of support.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….". The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

OBSERVATIONS

As this appeal is a Householder Appeal, there is no opportunity for us to submit comments. However, all the representations made on the application have been forwarded to the Planning Inspector at PEDW and the appellant. These will be considered by the Inspector when determining the appeal.

BARRY TOWN COUNCIL

PLANNING COMMITTEE	22 August 2024	AGENDA ITEM: 7

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	Barry Town Councils Observation	LPA's Decision
2024/00147/FUL	Erection of 2 No. Juliet Balconies in front of both French doors which open onto the existing flat roof extension. Raise level of boundary fence adjacent to rear patio to prevent overlooking of neighbour from patio at 49, Pontypridd Road, Barry	No Objection	Approved
2023/01275/FUL	2 storey side extension with Juliet balcony to rear, new porch to front and loft conversion with rear dormer and Juliet balcony at 19, Greenacres, Barry	Objection	Approved
2024/00311/FUL	Two storey extension to the side and rear of property at 14, Colcot Road, Barry	No objection	Approved
2024/00354/FUL	Proposed Infill to existing front porch to create larger entrance and storage area. Internal reconfiguration Proposed 1.8m Timber Hit and Miss Fence to side elevation to create secure and private patio area at Sunningdale, Victoria Park Road, Barry	Request further information	Refused

2024/00421/FUL	Conversion of existing veterinary practice to 4 No 2 bedroom flats and demolition of existing single storey flat roofed rear extensions at 51-53, Barry Animal Health Centre, Tynewydd Road, Barry	No Objection	Approved
2023/01289/FUL	Retain as built garage conversion at 6, Vincent Close, Barry	No objection	Approved
2024/00472/FUL	Second story flat roof extension to rear of the property, above existing single rear extension. Dorma bedroom with Juliet balcony in attic at the rear of the property. Adjustment to existing windows at the side of the property at 7 Heol Dewi Sant, Barry	No objection	Approved
2024/00475/FUL	Replacement of existing lean to at rear of domestic dwelling with new flat roof and new bi-folds at 33, Maes y Cwm Street, Barry	No objection	Approved
2024/00496/FUL	Proposed dormer loft conversion with Juliet balcony to rear elevation at existing domestic dwellinghouse. Alterations to existing rear ground floor extension at 24 Pontypridd Road, Barry	No objection	Approved
2024/00522/FUL	To convert the garage into a bedroom with shower facilities and door access into main house. Replace the existing garage door with patio doors. Internal alterations to adapt ground floor cloakroom to shower room at 26 Rhodfa Sweldon, Barry	No objection	Approved

Application for a Premises Licence – Namsan Chicken, 9 Thompson Street, Barry CF63 4JL
The Licensing Act 2003

This Department has received an application for a Premises Licence for the above-named premises under the Licensing Act 2003. This form was received by my office on 20th August 2024

The application seeks permission for;

Provision of Late-Night Refreshment: Sunday to Thursday 23:00 to 00:00
Friday and Saturday 23:00 to 01:00

Any observations in respect of this application must therefore be made in writing to the Licensing Department by 18th September 2024 to be taken into consideration.

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 25/07/2024

COMMENTS DEADLINE – 15/08/2025

APPLICATION NO. (S)	2024/00625/FUL
LOCATION	25 Gelyn Y Cler, Barry
WARD	Cadoc
APPLICANT	Zhang
PROPOSED DEVELOPMENT	Convert garage to living room and loft conversion with erection of a dormer in the rear roof.

BACKGROUND

The application relates to 25, Gelyn Y Cler. A two-storey, detached dwellinghouse, within the Barry settlement boundary, as identified by the Vale of Glamorgan Adopted Local Development Plan (LDP) 2011-2026. The are no article 4 directions restricting the properties permitted development rights.

PROPOSAL

The applicant proposes a ground floor, integral garage conversion to provide a living room for the dwelling. The exterior changes would amount to the replacement of the front facing garage door with a single window and associated brickwork.

The applicant has also proposed a rear facing dormer that would run the width of the host dwelling. The proposal includes a centrally located Juliet balcony and two smaller windows either side.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

OBSERVATIONS

The proposal could be carried out entirely under the dwellings permitted development allowance so will not be refused.

The garage conversion would have no discernible negative impacts upon either visual or residential amenity.

The rear facing dormer would afford elevated views of the private rear amenity areas of several adjacent properties, negatively impacting the residential amenity of occupiers through increased levels of overlooking. This increased loss of privacy will not form the basis of any refusal for the reasons above.

It is recommended that members do not tender an objection to the scheme.

SITE PLAN

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 25/07/2024

COMMENTS DEADLINE – 15/08/2024

APPLICATION NO. (S)	2024/00635/FUL
LOCATION	2 Bungalow, Waycock Road, Barry
WARD	Dyfan
APPLICANT	Khan
PROPOSED DEVELOPMENT	Retrospective planning permission for increased dimension of both previously approved dormers on the front elevation (East facing), insertion of bi-folding doors on the rear elevation (West facing), insertion of additional skylight on the roof-slope of the rear elevation (West facing), omission of door on the side elevation (South facing), changed door type on front elevation (East facing).

BACKGROUND

Site information and context analysis as per submitted Planning Policy & Design and Access Statement:

In terms of its local context, the application site and its surroundings fall outside the defined settlement boundary of Barry, as depicted on the Local Development Plan Policies/Proposals Map.

The application site is located towards the southern end of Weycock Road (A4226 carriageway) and is situated on the northern side of the road, nestled north and adjoining Welsh Hawking Centre (OS Grid Ref: ST090692, E309079, N169295). The plot, is sited within the Dyffryn Basin and Ridge Slopes Special Landscape Area, and encompasses no other site constraints that are of material planning relevance to this submission.

In terms of its immediate context, the application site covers an area amounting to approximately 1152.8m², comprising a semi-detached bungalow with a built footprint amounting to approximately 215.8m². The existing bungalow is of single 'gable-ended' roof design to include three intercepting valleys comprising a front and side dormer to include a rear addition, all of 'pitched' roof design.

The external walls of the bungalow are constructed of brick and magnolia render, its roof being black slate tile hangings; window/door frames of white 'UPVC' with double-glazed windows. The site is bound by both soft landscaping and areas hard-standing, these consist of part tarmac and grassed areas, with its perimeter bound by shrubs/hedgerows and trees.

Site history as per submitted Planning Policy & Design and Access Statement:

The proposal had evolved following planning approval under LPA Ref: 2011/00972/FUL, later 2018/00123/FUL, which evolved under a minor material amendment LPA Ref: 2018/00123/1/NMA.

This submission is being made due to Councils discretion to not determine LPA Ref: 2018/00123/2/NMA since it is believed the retrospective elements are material considerations which require a fresh submission.

This application seeks to regularise the retrospective elements whilst taking into consideration the refused LPA Ref: 2021/00427/FUL and dismissed Appeal Ref: APP/Z6950/A/21/3275782.

A more thorough investigation of the planning history is available within the submitted statement.

PROPOSAL

As per submitted Planning Policy & Design and Access Statement:

This applicant seeks retrospective planning permission to regularise the built form of the detached double garage sited at the front of the main dwellinghouse.

The approvals sought include, increased dimensions of both dormers on the front elevation (East facing), bi-folding doors and an additional skylight inserted on the roof-slope all on the rear elevation (West facing), omission of door on the side elevation (South facing), door type on front elevation (East facing).

The increase of the ENCLOSED ground floor built footprint is omitted from all written documents but is evidenced in plans. The area that has been enclosed is however minimal, located to the front of the proposal and moves the proposed garage door forward by 1.6 metres. This would create a more square structure than before but the changes to appearance would be minor.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

OBSERVATIONS

As per previous dismissed Appeal (Ref: APP/Z6950/A/21/3275782):

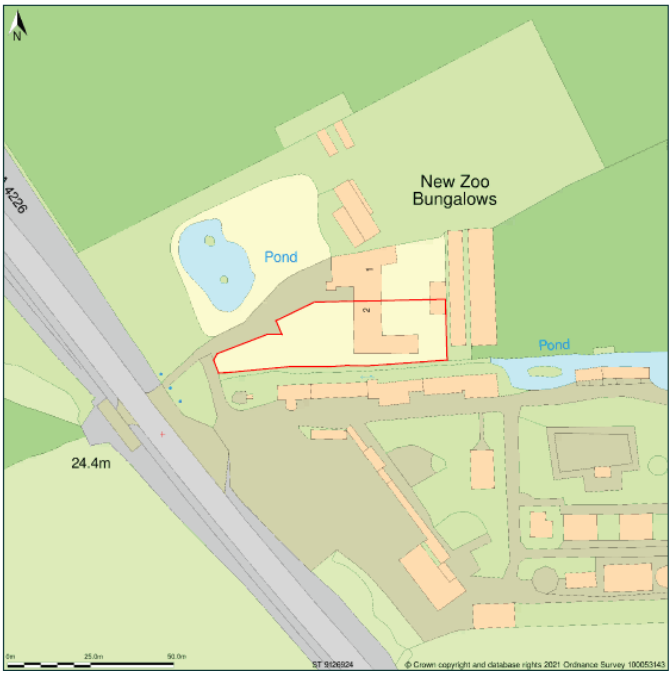
"There is some disagreement between the parties as to whether the ridge height of the development would be higher than the approved scheme. Nonetheless, taking the Council's position, the difference involved appears to be an increase of around 20cm. Whatever the position is, I do not consider that this would result in a significant increase in the bulk and scale of the development over the approved scheme. Similarly, I regard the increase in footprint to be marginal in the context of the large front curtilage and the scale of the approved scheme".

The inspectorate (PEDW) have already established that 'slight' increases to the built form of the approved garage do not form a justifiable reason for refusing planning consent.

Similarly alterations to fenestrations will have no material impact upon either the visual amenity of the SPA or residential amenity of any adjacent occupier to the extent where refusal would be justifiable.

As such it is recommended that member note no objection to the proposal.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 06/08/2024

COMMENTS DEADLINE – 27/08/2024

APPLICATION NO. (S)	2024/00646/FUL
LOCATION	10 Adar Y Mor, Barry
WARD	Baruc
APPLICANT	Mayne
PROPOSED DEVELOPMENT	Erect a storm porch to the front elevation

BACKGROUND

The application site is located off the eastern side of Adar y Mor and contains a three story, end-of-terrace dwellinghouse. The estate of which it is a part is of a relatively modern design, with varying forms of design, scale and architecture to all properties but a cohesive design aesthetic. The site is curtailed to the north and east by the residential curtilages of adjoining or adjacent dwellings and to the south and west by the highways of Adar-y-Mor and Gwalch-y-Penwaig. The host dwelling has seen no alterations since original construction. There is no relevant formal planning consent related to the property.

PROPOSAL

The application relates to a small 'storm porch' which would be positioned in front of the existing principal entrance to the dwelling. The storm porch would measure 1 metre in depth by 1.8 metres in width, 3.2 metres to the eaves and 4.2 metres to the ridge. The proposal would feature a dual pitched, gable end roofing profile that runs in parallel to that of the host dwelling.

The proposal would be classed as permitted development were it not for the height of the proposal exceeding 3 metres.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….". The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

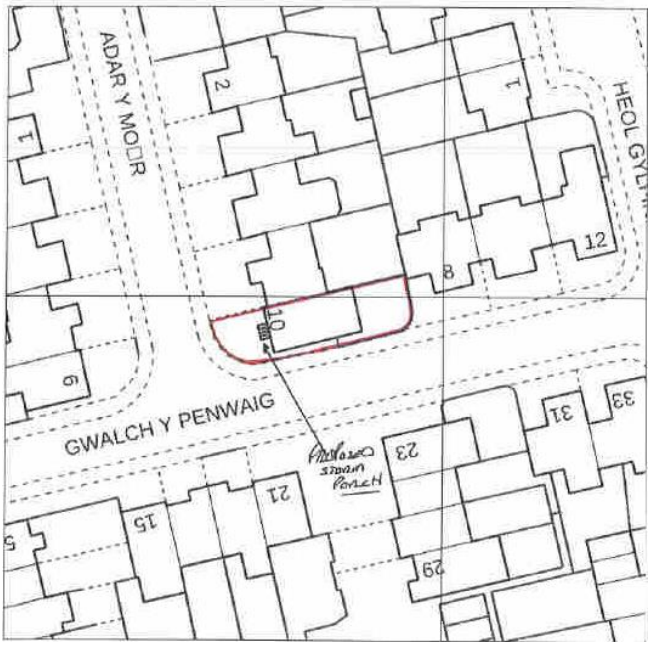
The application is accompanied by a comprehensive "Planning & Climate Change, Biological Diversity, Design & Access Statement". The applicant has agreed to the

installation of a proposed bat box, which is enforceable by condition, and several other mitigation proposals which are not.

OBSERVATIONS

The proposal would be similar in design and scale to several other porches located within the estate of which the dwelling is a part. It will not detrimentally impact either the visual or residential amenity of the host, neighbouring dwellings or wider area.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 06/08/2024

COMMENTS DEADLINE – 27/08/2024

APPLICATION NO. (S)	2024/00647/FUL (RG3?)
LOCATION	19 Suran Y Gog, Barry
WARD	Cadoc
APPLICANT	Shire
PROPOSED DEVELOPMENT	Proposed single storey side extension, with all associated external works including raised patio area

BACKGROUND

As per supporting statement:

The application site consists of a detached dwelling at the corner of Suran-Y-Gog and Carn-Yr-Ebol. The property benefits from a modest side garden that slopes down, with a rear driveway area. There is a semi-detached pitched roof garage structure to the rear which adjoins with the neighbour's garage structure.

The property is located within the Barry settlement boundary and does not reside within a conservation area.

PROPOSAL

As per supporting statement:

It is prudent to note that there are elements of the work that can be executed under general permitted development rights, for example the footprint of the ground floor extension as demarcated on the proposed drawings in red colour. The marginal increase in permissible height is what requires us to obtain formal consent. We feel that this is a pertinent consideration as part of your deliberations for this planning application.

The footprint of the extension is within the permissible allowance that could be established in theory under general permitted development rights afforded to the applicant. However due to varying site ground levels this would mean that the eventual height of the extension would require formal consent and forms the basis of this application.

The scheme incorporates a flat roof in order to reduce the overall perceived mass and scale, as a result of the sloping ground (a constraint of the subject property). Again, this form of roof construction could be executed under permitted development rights, therefore we trust that there is no concerns with this form of design.

The design has carefully considered perceived overlooking and has therefore introduced high level windows to the side elevation closest to the adjacent neighbour (No.2 Carn-Y-Ebol) to counter any perceived overlooking. This is considered a betterment over the current situation which allows overlooking from the kitchen window to the neighbours property, a distance which is less than the 10.5m generally sought to boundary. To therefore supplement the provision of natural light which could otherwise be afforded through the side elevation windows, we have incorporated a glazed roof lantern to allow southern natural daylight to enter into the dwelling.

Due to the terrain of the garden our client has advised that they find that most of the garden is un-useable, as such would like to utilise the opportunity to create a patio area in order to provide accessible amenity for the intended ailing family member for who this extension is being proposed.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….". The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

As per supporting statement:

As regards to biodiversity measures, we would look to enhance the existing situation by encouraging bird roosting with the installation of a bird box to the front elevation. This is believed to be the best solution to increase biodiversity as; the existing vegetation to the front elevation would provide suitable screening for the birds to access the box, this elevation is northern orientated and the box itself could be installed at a higher level i.e. safely away from potential prey.

Furthermore it is believed that potential vegetation to the raised patio area would enhance the current situation by acting as a biodiversity corridor within the garden area.

OBSERVATIONS

As highlighted within the supporting statement, the proposal is of a lesser footprint than that which would be permissible through the dwellings permitted development allowance.

The side elevation closest to the dwelling to the south, Carn-yr-Ebol would be 3.7 to 4.3 metres (roof lantern) in height when measured from the adjacent ground level. Due to a further gradual fall in site levels from north to south, the proposal would appear higher to dwellings off Carn-yr-Ebol (No.2). Considering the bulk of the

proposal is set against the back drop of the host dwelling, it is considered unlikely that the delegated officer will consider that the extension has an overbearing impact towards this property.

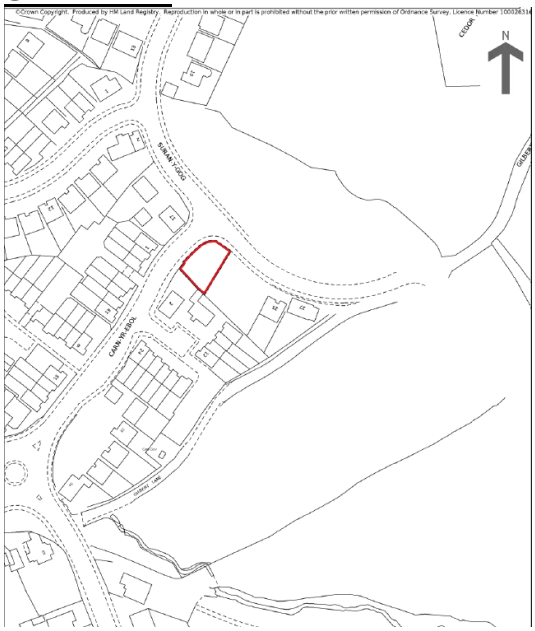
The proposal is largely screened from dwellings to the east, off Suran-y-Gog by the bulk of the detached side garage. It is not considered to have any detrimental impact upon this neighbouring dwelling. Properties to the north and west are separated by adequate distances from the proposal so as to see no impact to their residential amenities. Properties to the north are also screened form the proposal by the host dwelling.

Whilst the proposal would replace the south facing fenestrations with high level openings, reducing the opportunity for overlooking or loss of privacy for the occupiers of No.2 Carn-yr-Ebol it would also move the ground floor of the application property to within 10.5 metres of this neighbouring property's boundary. The design standard within the VOGC's Residential and Householder Development SPG recommends a minimum distance of 21 metres between opposing windows in habitable rooms. This is to try to ensure a sense of privacy for occupants.

Whilst the proposal puts the extension well beneath this minimum distance it also curtails any potential overlooking through window design.

Considering the permitted development allowance available to the dwelling, its mitigating design and acceptable appearance, I would advise members to not object to the scheme.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 06/08/2024

COMMENTS DEADLINE – 27/08/2024

APPLICATION NO. (S)	2024/00649/RG3
LOCATION	Cadoxton Primary School Victoria Park Road, Barry
WARD	Cadoc
APPLICANT	Vale of Glamorgan Council
PROPOSED DEVELOPMENT	Conversion of primary school building into day care nursery facility and the construction of new single storey flat roof extension, raised decking area, playground area, car parking, access ramp & landscaping etc

BACKGROUND

The application site is located off the southern side of Victoria Park Road and Church Road. The building was previously in use as a primary school building that was itself attached to the larger Cadoxton Primary School. The site includes the building itself, a patch of grassland and a small tarmacked parking area to the west. The building is set on an incline, rising from north to south and east to west. The property appears between 1 and 1 ½ storeys tall from Church Road. Site levels fall sharply from east to west through the grassland area down to the parking area, which itself is also flat.

As per submitted Green Infrastructure Statement:

The existing building within the application site is a single storey former dining room of traditional construction dating from the 1920's with pitched slate roof with coursed stone walls with red brick detailing. Windows and doors are double glazed white upvc.

The site is abutted to the south and east by Cadoxton Primary School, with its associated sports hall to the west. The highways of Victoria Park Road and Church Road lie to the south, with residential areas beyond.

The building to be extended as part of this application is not listed and does not lie within a conservation area.

PROPOSAL

Vale of Glamorgan Council propose to convert the existing building into a day care/ nursery facility with associated changes on site. The existing building would see a wraparound extension erected to its southern and eastern side, as well as a smaller side extension to its western side. A small raised decking area to the south of the western side extension would proved an external play area.

The extension are to be of modern design, with flat roofs matching the eaves height of the existing building. They would be built upon brick plinths (colour to be decided), to raise the floor area to the desired height. They would be finished in timber cladding.

The existing sloped green area would be partially developed to include an access ramp for disabled access to the nursery from the parking area, including a short flight of stairs. The existing vehicular access to the parking area is to be retained. The parking area would be used partially as a drop off, with two spaces retained (on for accessible parking) and an area for cycle parking and bin storage created.

Part of the car park and grassed area to the north of the site would be levelled off to create a playground area.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that "Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity……". The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

As per submitted Green Infrastructure Statement:

Following a recent bat and ecological assessment of the site no evidence of bats or nesting birds were recorded and the building is considered to have low to negligible bat roost potential.

Green Space: The green space is an isolated area of vegetation located along the southern and western boundary of Cadoxton Primary School and is flanked on all sides by school playgrounds, car parks and roads that takes up an area of approximately 520m2, of which, approximately 250 m2 is within the application site.

The area is generally overgrown and appears to be left to grow naturally with little to no maintenance of the main area, with exception of a small area directly adjacent to the building which show evidence of regular maintenance. The green space includes various small trees, shrubs and grasses and offers potential habitat for birds, small mammals, reptiles and invertebrates.

Car Park: The car park is located to the west of the site and is made up of asphalt surfacing. The existing habitat potential of the car park is negligible.

The proposal would feature a single beepost and two new birdposts which would be conditioned into any subsequent consent. This is proposed to offset the loss of the green space to be developed as part of the scheme.

My opinion is that whilst the proposal will not offset the loss of the green space within the site to as is required, the new 'green infrastructure' proposed and the need for the facility would outweigh the potential harm caused. It is also worth noting that the area in question likely adds little of ecological value to its surroundings.

OBSERVATIONS

The alterations to the site that exclude the additions to the existing building are considered to be negligible in terms of their impact to visual amenity. The site has historically been used for educational purposes and the alterations would further facilitate this use. They would have no impact on the residential amenity of any nearby dwellings due to the separation distances involved and the nature of the alterations.

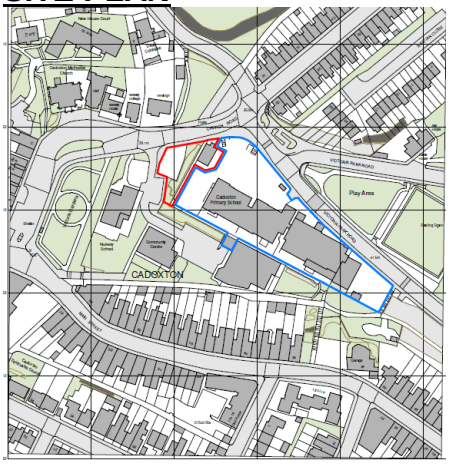
The reduction in off-street car parking spaces would be offset by the surrounding spaces present within the wider site, as well as the nature of the use of the building being complimentary to the inclusion of a 'drop-off' area. It is considered likely that the alterations in respect of parking and access will be deemed suitable by the Council's Highway Department.

The proposed raised decking area and associated steps are considered to be acceptable in terms of there visual impact to the host building. The extensions are not overly large and would, on their own, likely be considered acceptable.

Whilst design can be considered subjective to a degree, it is my personal opinion that the characteristics that are incorporated into the existing building are not reflected in the design of the extensions. The flat roofing profile and choice of timber cladding, along with the contemporary design of the extensions would be at odds with the appearance of the host. It is acknowledged that this application is put forward by the Vale in order to provide a service for the public; however, it is thought that the extensions could be of a more sympathetic design or at least promote the use of alternative finishing materials to create a more pleasing finished project.

I think it unlikely that the application will be refused or any alterations to the scheme requested.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 03/09/2024

EFFECTIVE DATE OF RECEIPT – 08/08/2024

COMMENTS DEADLINE – 29/08/2024

APPLICATION NO. (S)	2024/00671/FUL
LOCATION	Vale Veterinary Centre, Units 18/ 19, Ty Verlon Industrial Estate, Barry
WARD	Cadoc
APPLICANT	Vale Veterinary Centre
PROPOSED DEVELOPMENT	Change of use of industrial units to veterinary practice (D1), internal alterations, enclosures to existing parking area and minor fenestration changes (to existing openings) and associated works

BACKGROUND

As per submitted Planning Statement:

The application site, which measures 915 square metres, is formed by existing units 18/19 located within the Ty Verlon Industrial Estate, Sully View, Barry. The site is located within the defined urban boundary for Barry, located at the edge of the settlement, within an established employment area. The estate is located approximately 1 mile northwest of the village of Sully and approximately 1.5 miles to the southwest of Dinas Powys.

The application site is accessed via Sully View, located off the A4055 (Cardiff Road), adjacent to the interchange with the A4231/B4267 (Barry Docks Link Road/Sully Moors Road). Cardiff Road provides direct vehicular links between Cardiff and Barry, via Penarth and Dinas Powys, whilst Sully Moors Road and Barry Docks Road provide links from Lower Penarth, through to Sully then Barry, moving north towards Culverhouse Cross, Cardiff and onto the M4 motorway.

The application property, which together form two of the total of five linked units (units 18 and 19), is two storey in height with a dual pitched roof (front to back), having a ridge which runs parallel with the adjacent highway (Sully View). The building is constructed from metal profile sheeting (external materials), similar to the majority of the buildings within the immediate vicinity. Unit 18 is more open plan in form, whilst unit 19 has been subdivided to form office space. It is understood that unit 18 was last occupied by Hermes but has been vacant for 12 months, whilst unit 19 has been used for storage for the vets for over 5 years.

The property benefits from its own defined parking/courtyard area at the front of the site which leads to the entrance into the main structure. The parking/courtyard area, which is surfaced in tarmacadam, is separated from

the highway by existing landscaped verges containing shrub planting and mature trees. A gravel apron follows the side boundary and returns around the rear, beyond which is a retaining wall and mature landscaping beyond.

The industrial estate is accommodated by a number of businesses that fall into the B1, B2 and B8 uses, as defined by the Use Classes Order. However, there are a number of other businesses now occupying several of the adjacent units, which have deviated from the defined uses which would have historically dominated. These include McDonalds fast food restaurant (A3), albeit this is just outside the designated area, health and fitness studio/gymnasium (D2), a gymnastics facility (D2), and a baguette shop/food preparation business (AI/B2). Vale Veterinary Practice was itself started approximately 10 years ago from units 7/8, with planning permission granted under LPA Ref 2014/00106/FUL.

As previously mentioned above, the site is located within an accessible location with good links to the surrounding residential areas of Barry (Cadoxton/Cadoc being the closest ward), Sully (under 1 mile), Dinas Powys (within 1.5 miles) and Penarth (within 3 miles). Cadoxton Railway station is just over 1km to the west, whilst bus stops are located on either side of Cardiff Road.

PROPOSAL

As per submitted Planning Statement:

The application proposes the change of use of the existing premises from B1 (business) to D1 (veterinary practice), together with internal alterations and other associated works. It is understood that the site was previously occupied by a beads/craft and knitting company and a delivery company who have since vacated the units, as noted above.

The application will ***allow for additional services to be offered, such as CT scanning, hydrotherapy and emergency/out of hours services, but will provide improved pet care and staff facilities, helping cater for both demand whilst also allowing room for future growth. The proposals therefore aim expand the practice becoming a community hub for pet owners providing an excellent service at all levels of interaction, delivering diverse clinical care and a range of pet products from dietary foods to specialist accessories.***

The proposed internal arrangements will not require any external alterations to the fabric of the building, with the structure therefore appearing to be unaltered from views within the public realm. The only exception to this is the new glazed entrance doors which replace security shutters at the front of the building.

To the front of the site both staff and visitors will have access to an enclosed car park which offers a total of 9 car parking spaces. New security fencing and gates are proposed to secure the main entrance area outside of core working hours. To the rear and side of the building opportunities exist for external

storage of non-secure waste/recycling materials within wheelie bins (240l) and for a cycle stands at the front of the site, albeit opportunities also exist for some secure cycle storage within the building.

Hours of operation:

Days of Week	Opening Hours
Monday to Friday	9am to 6pm
Saturday	9am to 1pm
Sundays/Bank Holidays	Closed
Emergency Services 24 hrs a day by appointment only	

The practice will be run on an appointment only basis. The proposals will however allow for out of hours emergency services to be brought to the practice.

In terms of deliveries, the development will generate, on average, one single delivery per day for general supplies, with the delivery due to take place usually between 11am and 1pm, Monday to Friday, to avoid peak traffic periods and also client appointment hours. Other deliveries will include oxygen gas cylinders which take place fortnightly, again usually during 11am to 1pm to avoid peak periods and appointments.

Waste generated from the practice will include clinical waste, such as bandages, cotton wool, gauze and swab material etc, which is non-hazardous and low volume, will be stored within the premises and collected by a private waste management company on a regular schedule. Hazardous waste, including used vials, needles etc is low risk and volume, and is stored in sealed containers within the practice and collected by specialist contractors. All euthanised animals are bagged and stored as per ethical protocol and held in a freezer unit prior to removal by specialist contractor. All general waste will be stored and removed as per local collection schedules.

BIODIVERSITY

Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity…….”. The Vale of Glamorgan have noted this requirement and now seek to ensure that all future proposals for development comply with PPW11 and result in a net benefit for biodiversity.

The applicant is willing to consider the installation of some bird boxes either within the trees on site or to be fitted on the gable end elevation of the building. This provision can be secured by an appropriately worded condition.

OBSERVATIONS

The site is noted as being allocated under policy MD16(6) Ty Verlon Industrial Estate.

The proposal is contrary to Policy MD16(6) insofar as it is not a specified B1, B2 or B8 use but relates to a Class D1 use as a Veterinary Surgery. It is thus strictly necessary to consider whether the loss of this employment building / site is acceptable, based upon the specifics of the proposal and any other material considerations which might otherwise justify a departure from this land use policy.

As justified in previous similar consents nearby, whilst the proposals would run contrary to Policy MD14 & MD16(6), the loss of the unit strictly for the purposes proposed by the user, would not materially impact upon the aims and objectives of these policies.

The aim of the policy is to prevent the establishment of other uses, particularly retail and those that are specifically non business uses. Therefore, given that the proposal relates to the establishment of a new, non-retail, business and will provide employment it is considered that this development does not conflict with the aims of either Policy.

It is agreed with that the veterinary practice can be regarded as a complementary ancillary business use which provides employment. Whilst the use is not sui generis it is ancillary and compatible with the existing uses within the estate. This point is further evidenced by the fact that the practice has been operating within the estate for close to 10 years without issue/complaint.

Further works proposed that impact the external façade of the units (removal of the roller shutters and replacement glazed entrance), are considered to have negligible impact upon the visual amenity of the units and the surrounding estate. The proposed metal fencing and gates would be necessary to facilitate the successful conversion of the units and the running of the practice.

Parking provision and access are unlikely to be seen as issues by the VOGC Highways Department given the proposals and rationale submitted. Cycle stands, secure parking and more off-street parking spaces are to be provided along with further parking available throughout the wider estate.

SITE PLAN

Date/Dyddiad:

Ask for/Gofynwch am:

Telephone/Rhif ffon:

Your Ref/Eich Cyf:

My Ref/Cyf:

e-mail/e-bost:

The Vale of Glamorgan Council
Dock Office, Barry Docks, Barry CF63 4RT
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VALE of GLAMORGAN
BRO MORGANNWG

Town and Country Planning Act, 1990 (as amended)
Application Reference: 2020/01524/1/CD
Original Planning Permission Reference: 2020/01524/FUL
Proposal: Discharge of conditions 6 (Drainage) and 10 (Affordable Housing) - Variation of Conditions 2 and 3 to planning permission 2013/01249/FUL to reposition retail, residential and communal lobby entrances, reduction in parking provision, increase in retail floorspace with mezzanine level, residential plots 3, 7 and 11 increased to 2 bedroom and the introduction of a roof pop access included at Haydock House, 1, Holton Road, Barry
Location: Haydock House, 1 Holton Road, Barry

APPROVAL

I refer to the above referenced planning permission approved, and the details submitted in respect of the following conditions of that permission.

I can confirm that the document *'FG/JH/24.134 Cover Letter: Condition 6'* and *'FG/JH/24.134 Cover Letter: Condition 10'* dated 24 March 2024 are approved in compliance with the requirements of the following conditions:

6. *No development shall commence until such time as a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be disposed of, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a grease trap to prevent entry into the sewerage system of any matter likely to interfere with the free flow of sewer contents. The building shall not be occupied until such time as such agreed drainage works have been implemented in accordance with the approved details.*

   Reason:

   To ensure that effective drainage facilities are provided for the development, and that no adverse impact occurs to the environment or existing pubic sewerage system, and to ensure compliance with the terms of Policies MD2 and MD8 of the Local Development Plan.

10. *From first beneficial occupation the dwellings hereby approved shall all be affordable housing as defined in TAN 2. Prior to beneficial occupation of any of the dwellings a scheme for the provision of affordable housing shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in TAN 2, or any future guidance that replaces it. The scheme shall include:*

i) the arrangements for the management of the affordable housing;

ii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

iii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

To ensure that the development is kept in perpetuity as an affordable housing scheme, and to ensure compliance with PPW and TAN 2.

These conditions will be fully discharged when the development is completed in accordance with the details hereby approved and in conjunction with the approved plans and decision notice.

Yours faithfully,

Vale of Glamorgan Council
(Local Planning Authority)