



BARRY TOWN COUNCIL CYNGOR TREF Y BARRI

19 September 2024

To: Councillor S Hodges (Chairperson) plus Ball, Collins, Davies-Powell, E Goodjohn, E S Goodjohn, Hennessy, Iannucci-Williams (Town Mayor – Ex-Officio) and Thomas.

Dear Councillor,

You are hereby summoned to attend 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 24th September 2024 commencing at 7.00 pm** for the purpose of transacting the business specified 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)

*The Council welcomes correspondence in English or Welsh
Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg neu 'n Saesneg*

TOWN HALL, KING SQUARE, HOLTON ROAD, BARRY, CF63 4RW Tel: (01446) 738663 Email: info@barrytowncouncil.gov.uk	NEUADD Y DREF, SGWÂR Y BRENIN, HEOL HOLTON, Y BARRI, CF63 4RW Ffôn: (01446) 738663 Ebo: info@barrytowncouncil.gov.uk
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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 Meeting held on 3 September 2024**
(Pages 978 – 982)

Planning Issues

5. To consider Planning Applications:

(Pages 983-1016)

- a) Planning Application No. 2024/00704/FUL – Retrospective planning permission to erect a single-storey conservatory to the rear of the property at 32, Aneurin Road, Barry
- b) Planning Application No. 2024/00720/FUL – Proposed development for a distillery (B2 use), a marquee (D2 use), a spa (D2 use), a multi-purpose hall (D2 use) and all other associated works at Land West of the Good Sheds, Hood Road, Barry
- c) Planning Application No. 2024/00748/FUL – Demolish existing rear single storey extension(s) and replace with proposed replacement rear single storey extension with conversion of garage into habitable accommodation including changes to garage roof, walls and fenestration. All with associated external works. at 104 Colcot Road, Barry
- d) Planning Application No 2024/00749/FUL – Removal of chimney stack and replacement of roof slates.at 21 Birch Grove, Barry
- e) Planning Application No. 2024/00758/FUL– Proposed change of use to retail, restaurant and staff accommodation with first floor rear extension with internal alterations. at Christ Church Presbyterian, Tynewydd Road, Barry
- f) Planning Application No. 2024/00768/FUL– On Road EV charging solution, amendment to refused dropped kerb application. Permission requested to break into the pavement to provide an EV charging gulley. The Gulley would run through the pavement from the edge of the property to the highway to enable a safe on road solution to home EV charging. at 97 Tynewydd Road, Barry
- g) Planning Application No. 2024/00772/FUL & 2024/00773/LBC – Retain fire barriers installed in loft space and temporary external fire escape stairs.at College Fields Nursing Home, College Fields Close, Barry
- h) Planning Application No. 2023/01269/FUL – Relocation of extension of garden fence to facilitate disabled access and increase safety from vehicles at 61, Ffordd Pentre, Barry
- i) Planning Application Consultation. – Change of Use to Wood Recycling Facility at Berth 31 Port of Barry CF63 4AB
- j) Planning Application No. 2024/00154/FUL– Conversion of two first floor flats to three flats at Bambrah Stores, 25-27, Ivor Street, Barry

6. **To consider Tabled Applications** (None Received)
None received.
7. **Local Planning Authority Decisions** (Pages 1017 - 1018)
8. **Notification of a Premises Licence Review** (Pages 1019 - 1024)
9. **Applications Dealt with Under Delegated Powers – For information only** (None)
10. **Date of Next Meeting**
The date of the next Planning Committee is scheduled for Tuesday 15 October 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 03 September 2024 AT 7:20PM

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

ALSO PRESENT: Greg Smart – Planning Officer
Courtney Parker – Administrator
Janice Charles – Observer
Julie McKinney – Observer
Ian Johnson – Observer

PL247. **APOLOGIES FOR ABSENCE**

Councillors Davies-Powell.

PL248. **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 Premises Licence Applications received due to being a member of Vale of Glamorgan Licencing Committee.

PL249. **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

PL250. **TO APPROVE THE MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 30 JULY 2024**

RESOLVED: That the minutes of the Planning Committee's meeting held on 30 July 2024 be approved and signed as a correct record.

PL251. **TO CONSIDER PLANNING APPLICATIONS**

a) Planning Application No. 2024/00605/FUL

Location: The site to the rear of Plas Cleddau, Cwm Talwg, Barry
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.

Councillor Ball commented the car park has a lot of potential and in essence is a good idea however more information is needed.

The Planning Officer commented as the application is for 4 residential units it could be serviced by a private drive rather than adopted highway.

The Chair invited Councillor Janice Charles to speak as she is a local member of the ward.

Councillor Charles commented that there are no signs in the area stating it is a private car park and to her knowledge this land has been used as a car park since 1986. The car park is currently used by parents of All Saints School, the Cwm Talwg pub as an overflow car park, people using the community centre, and the public using the shops and also has Salvation Army donation banks present on the land. Councillor Charles also expressed her concern of being able to look into the dwellings to the rear of the land therefore is against the proposed application.

The Planning Officer said there is lack of information regarding the proposed application.

Councillor Charles added that she has further concerns regarding access for deliveries to current businesses.

Councillor Hennessy stated he will be calling for a recorded vote on this item.

The Planning Officer clarified the application process to the committee.

The Chair clarified the points raised by each councillor and the officer's recommendation to object.

Councillor Hennessy added as nobody on the committee has objected to the officer's recommendations, he would be happy to withdraw his request of a recorded vote.

The Chair asked if the committee are happy to agree with the Officer's recommendations

Councillor Hennessy stated he was happy to proceed with the officer's recommendations

RESOLVED: BTC would like all suggestions from the Preliminary Ecological Appraisal incorporated into the CEMP of any approved scheme.

BTC request more information from VOGC regarding the previous applications for planning permission relating to the site.

BTC request that the 25 degree test is applied to plots 1 & 2.

BTC object to the application as stands on the following basis:

A lack of information regarding the current use of the car park (was it tied to any previous consents?)

Paragraph 4.2.9 of the Transport Note indicates that there is already an oversubscription in on-street parking in vicinity of the site. The removal of the car park may put undue pressure upon the surrounding highway network to the detriment of its users.

The existing site has been used for some year as an 'overflow' area by the local school and public house.

b) Planning Application No. CAS-03595-V1Q7P7

Location: 1 Hazledene Close, Barry

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)

RESOLVED: Received and noted.

c) Planning Application No. CAS-03606-S7N8C1

Location : 2 Min Y Mor, Barry

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.

RESOLVED: Received and noted.

PL252. **TO CONSIDER TABLED APPLICATIONS**

None received.

PL253. **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 as Councillors E S Goodjohn and Hennessy would then leave the meeting due to declaring an interest in this agenda item.

PL254. **APPLICATIONS DEALT WITH UNDER DELEGATED POWERS – FOR INFORMATION ONLY**

RESOLVED: That the applications dealt with under delegated powers be received and noted.

PL255. **DISCHARGE OF CONDITION NOTICE**

Members received a Discharge of Conditions Notice at Haydock House, 1 Holton Road.

RESOLVED: That the Discharge of Conditions Notice be received and noted.

PL256. **DATE OF NEXT MEETING**

RESOLVED: That the date of the next Planning Committee is scheduled for Tuesday 24 September 2024.

Councillors E S Goodjohn and Hennessy left the meeting at 7:51pm.

PL257. **NOTIFICATION OF PREMISES LICENCE APPLICATIONS**

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

RESOLVED: That the premises licence application be received and noted.

Meeting closed at 7.52pm.

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

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 20/08/2024

COMMENTS DEADLINE – 10/09/2024

APPLICATION NO. (S)	2024/00704/FUL
LOCATION	32 Aneurin Road, Barry
WARD	Court
APPLICANT	O'Beirne
PROPOSED DEVELOPMENT	Retrospective planning permission to erect a single-storey conservatory to the rear of the property.

BACKGROUND

The site is located off the south eastern side of Aneurin Road and contains a two-storey, semi-detached dwellinghouse. The site is located within Barry settlement boundary, as identified within the Vale of Glamorgan Local Development Plan 2011-2026. The dwelling has seen some small additions since original construction including a small side extension which was granted a CLOPUD under application 2024/00427/LAW.

The site is curtailed to the north east, east, south and west by the residential curtilages of adjoining and adjacent dwellings as well as Aneurin Hall. The site abuts the highway to the north west with a small green beyond.

PROPOSAL

The applicant seeks retrospective consent for the erection of a single storey conservatory to the rear of the dwelling. The conservatory measures 2.4 metres in width, 4.2 metres in depth, 2.5 metres to the eaves and 3.4 metres to the ridge. It features a dual-pitched, hipped roofing profile. It is positioned to the south western side of the dwellings rear elevation, running along the shared boundary with the adjoining semi-detached dwelling of 30 Aneurin Road.

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 will have no undue impact upon the visual amenity of the host dwelling or wider area.

The proposal can be considered to be of an unneighbourly scale, with a depth of 4.2 metres and maximum height of 3.4 metres positioned directly abutting the private amenity area of no.30. Whilst the materials and finishes of the extension are unknown, it is worth noting that were the application approved, the applicant could then replace all existing materials of the extension with solid brick and tile through the dwellings permitted development allowance. The orientation of the properties and extensions means that the proposal would block light from No.30's rear facing openings and private amenity area, whilst its height and depth would create a sense of enclosure for this neighbouring occupier, diminishing their current levels of residential amenity in an unacceptable way. Outlook from the ground floor rear facing opening closest to the proposal would be somewhat impacted but not to the degree where this in itself would result in the refusal of the application.

It is recommended that members tender an objection to this scheme on the basis listed above.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 11/09/2024

COMMENTS DEADLINE – 02/10/2024

APPLICATION NO. (S)	2024/00720/FUL
LOCATION	Land West of the Good Sheds, Hood Road, Barry
WARD	Baruc
APPLICANT	DS Properties (Good Shed) Ltd.
PROPOSED DEVELOPMENT	Proposed development for a distillery (B2 use), a marquee (D2 use), a spa (D2 use), a multi-purpose hall (D2 use) and all other associated works

BACKGROUND

As per submitted D&A Statement:

The application site is situated in the town of Barry along Hood Road, which is within the Waterfront area of the town.

The site extends to approximately 0.15ha in total and is enclosed by kestral fencing.

In terms of the site's immediate surroundings, a series of holiday accommodation facilities are located to the immediate east of the site, in the form of Goodstay holiday apartments. A combination of A1 and A3 developments are also located to the immediate east. The newly built Ysgol Sant Baruc is located to the south of the site, and Howe Motors is located to the west.

The land to which the submitted proposals relate comprise of previously developed land. The land contains no features of ecological or biodiversity value.

The site currently comprises a drive through facility for the adjacent Academy Junction drive through coffee shop. An outdoor gym previously occupied a small section of the site along the northern boundary, but has since closed.

The land to which the submitted proposals relate comprise of previously developed land. The land contains no features of ecological or biodiversity value.

The site currently comprises a drive through facility for the adjacent Academy Junction drive through coffee shop. An outdoor gym previously occupied a small section of the site along the northern boundary, but has since closed.

As aforementioned, the surrounding area comprises high quality commercial, leisure and residential developments. Alongside the immediately adjoining Goodsheds development, there are a number of services and facilities within close proximity to the site, including:

- ***West Quay Medical Centre;***
- ***ASDA superstore;***
- ***Barry Leisure Centre;***
- ***Lôn Y Rheilffordd Playground;***
- ***Barry Library;***
- ***Memo Arts Centre;***
- ***Range of facilities along Broad Street.***

A review of NRW's Development Advice Map (DAM) shows that the site is located in Flood Zone A, as such it is considered to be little or no risk of fluvial or coastal or tidal flooding.

Notwithstanding the above, the Flood Map for Planning, which is expected to supersede the DAM later in 2024, indicates the site is partially located within Flood Zone 2 for surface water and small watercourse flooding, with portions of the central and western sections of the site being affected by this. A very small section of the north eastern corner of the site is also affected by surface water flooding.

A review of Cadw's records shows that there are no listed buildings within the site boundary. The nearest listed building is the Grade II listed Pumhouse, located along Hood Road, CF62 5QN.

The Coal Authority's interactive map shows that the site lies outside the Coal Mining Reporting Area, therefore a Coal Mining Risk Assessment is not required for this application.

A review of the Vale of Glamorgan Local Development Plan (LDP) proposals map shows the site to site as unallocated white land located within the settlement boundary for Barry.

Vehicle access to the site can currently be obtained via the drive through area which serves Academy Junction coffeeshop. From here, access can be provided into the rest of the site through an automatic barrier.

In terms of pedestrian access, this can be obtained via a metal gate located along the northern boundary of the site along Hood Road.

The site is considered to site in a highly sustainable location. The nearest bus stop is located approximately 350m to the north of the site along Broad Street, and provides services to the wider Barry area via service number 96. Bus users can also reach Cardiff and Llantwit Major by travelling on the 304 bus service, which also operates from this bus stop.

Barry Train Station is also located approximately 500m to the southwest of the site along Broad Street, and provides services to destinations such as Bridgend, Cardiff and the wider Barry area.

Having regard to active travel, the council's interactive online map indicates that a completed National Cycle Route is located to the southeast of the site along Ffordd y Mileniwm, and provides access to Barry Island and Cadoxton.

Relevant Planning History –

2000/01299/REG3, Proposal: Stage one extension of railway track, erect platform, temp. new road and car/coach parking forming part of Phase II of Barry Island Railway Heritage Centre/Steam Railway project.

Decision: Approved, Decision Date: 21/12/2000

2001/01373/REG3, Proposal: Stage two extension of railway track, erection of rail platform, extension of car/coach parking, demolition of tin shed (part of Barry Steam Railway Project).

Decision: Approved, Decision Date: 10/01/2002

2018/01358/FUL, Proposal: Change of use, conversion and alterations to the Goods Sheds to provide a mixed use scheme comprising 11 live-work units (sui generis/ Class C3 use), restaurant (Class A3 use), technology hub/community workshop (Class A1, A2, B1 and/or D1 use) and flexible events space (Class A1, A2, A3 and/or D1 use), erection of entrepreneurial incubator business units not exceeding 68 units (converted shipping containers) (Class A1, A3, B1, D1 and/or D2 use), drive-thru coffee shop (Class A3), outdoor cinema (Class D2), farmers market/pop-up street food area (Class A1 and/or Class A3), children's playground (Class D2), access and servicing arrangements, car parking and associated works.

Decision: Approved, Decision Date: 01/03/2019

2018/01359/FUL, Proposal: Erection of a five-storey residential block to comprise 23 affordable and 19 market units with undercroft car parking and associated works.

Decision: Approved, Decision Date: 2019/03/01

2021/01123/FUL, Proposal: Proposed development of tourist accommodation, employment spaces and associated works.

Decision: Approved, Decision Date: 09/06/2022

PROPOSAL

The applicant proposes a 'multi-use space extension' to be erected to the west of the main 'Goodsheds' site. The proposal includes the erection of a 'tourist distillery', a 'multi use event facility', a spa and a large marquee with associated hard and soft landscaping, pedestrian and vehicular access and off-street car parking spaces.

The proposed use classes within the site are B2 (distillery), D2 (marquee), D2 (spa) and D2 (multi-purpose hall). Two open plaza areas are also provided within the site, proposed to provide external seating areas that can also double up as event/market spaces. Any future use as a 'market space' would likely require separate consent.

12 off-street car parking spaces are proposed to the eastern site boundary.

As per D&A Statement:

The proposed layout shows the proposed car park to site to the west of the existing drive through container, which adjoins the eastern boundary of the site. The distillery is then positioned within the centre of the site, abutting the southern boundary, whilst the multi-purpose hall is located in close proximity to the northern boundary. The proposed spa and marquee are located to the west of the distillery, with the marquee being located furthest west on site.

With reference to scale, the distillery will be partially two-storeys in height, and the second storey will house a roof terrace for visitors. The spa and multi-purpose hall will be single storey in height.

An indoor marquee is proposed to the west of the distillery and spa, and will have capacity to cater to 120 people.

Materials and finishes proposed are:

- ***Vertical timber walls;***
- ***Black aluminium and doors; and***
- ***Grey flat roofs***

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 D&A Statement:

The site currently comprises an area of hardstanding, currently used as a private car park and a drive through which serves Academy Junction’s coffee shop. As such, little vegetation currently occupies the site.

The proposals will lead to the loss of some boundary vegetation along the north western boundary of the site to facilitate the development.

To mitigate this, the applicant proposes:

The proposals aim to incorporate greenspaces and ornamental planting into the proposals.

All permanent structures (i.e., the distillery, spa and multi-purpose hall, will each have green-roofs incorporated into their design. This will provide benefits such as flood management, water purification, and improved air quality.

OBSERVATIONS

Principle of development

The site lies within the Barry Settlement Area, adjacent to the Goodsheds development. There are no direct policy contradictions as to why the site could not be used as proposed. The principle of development is acceptable.

Visual Amenity

The proposal would echo the design and modern appearance of surrounding developments (goodsheds, junction house, pump house) and is not of a scale that could be considered overbearing or out of place with surrounding properties. The built aspect of the development has been centred and contained well within the site, separated from adjacent properties, allowing a more permeable appearance to the development.

Structures are mostly single storey in nature, with the two-storey distillery element being of an acceptable scale and footprint, relating well with nearby development. It could not be seen as overdevelopment.

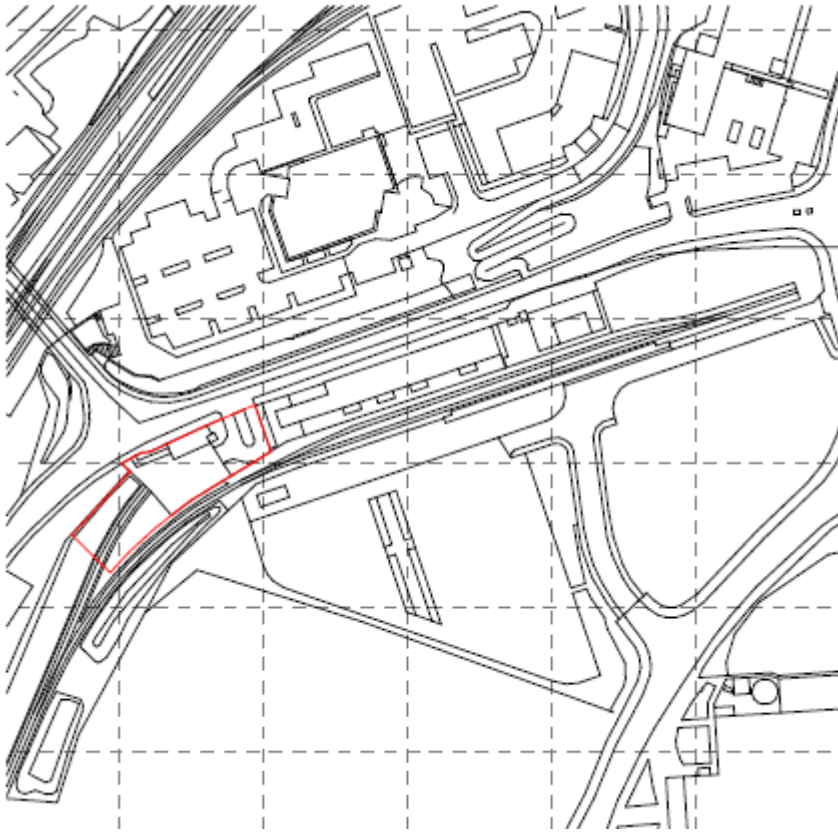
Residential Amenity

The development is too far removed from residential properties to have any impact upon their occupiers.

Parking Provision & Highway Safety

The development falls well below the maximum parking standards required for these use type; however, it is likely that the Council's highways officer will take a favourable view of the development given adjacent uses, the promotion of multi-modal travel through the sites design as well as the inherently sustainable location of the development.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 04/09/2024

COMMENTS DEADLINE – 25/09/2024

APPLICATION NO. (S)	2024/00748/FUL
LOCATION	104 Colcot Road, Barry
WARD	Dyfan
APPLICANT	Webber
PROPOSED DEVELOPMENT	Demolish existing rear single storey extension(s) and replace with proposed replacement rear single storey extension with conversion of garage into habitable accommodation including changes to garage roof, walls and fenestration. All with associated external works.

BACKGROUND

As per Supporting statement:

The application site consists of a semi-detached dwelling which benefits from a modest forecourt, side drive and rear garden, with off-street parking provisions available and proposed to be retained.

The property is located within the Barry settlement boundary.

PROPOSAL

As per Supporting Statement:

Planning permission is being sought to demolish the existing rear extension(s) at the property, and replace with a proposed replacement rear single storey extension with conversion of the garage into habitable accommodation including changes to the garage roof, walls and fenestration; all with the associated external works to the subject property.

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, the following enhancements are proposed:

As regards to biodiversity measures, we would look to enhance the existing situation by encouraging bird roosting, specifically for starlings, with the installation of a bird box to the side elevation (North elevation), fixed as per manufactures recommendations. This appeared to be the best solution for integrating biodiversity enhancements into the scheme as the neighbour's first floor extension would screen any light pollution and gusts of winds to the bird box. This would therefore ensure that the bird box would be seen as suitable habitat for Starlings.

OBSERVATIONS

The proposal would have no undue impact upon the residential amenity of any adjoining or adjacent occupier due to the existing structures in situ on site and within neighbouring plots.

In visual amenity terms the proposals are an improvement on the existing situation, serving to 'tidy up' the appearance of the rear of the dwelling and creating a more cohesive and legible design for the property when viewed from the rear.

The alterations to the garage would serve to modernise its appearance and appear to be necessary for continued maintenance and usage. The increases in footprint and height as a result of the extensions are negligible.

There would be no detrimental impact in terms of loss of off-street parking spaces regardless of the loss of the garage due to the remaining spaces left on site. As such the dwelling would still meet the VOGC parking standards.

The majority of the works could be carried out through the dwellings permitted development allowance barring the small increase in footprint through the rear/side infill extension.

It is recommended that members lodge no objection to the application.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 04/09/2024

COMMENTS DEADLINE – 25/09/2024

APPLICATION NO. (S)	2024/00749/FUL
LOCATION	21 Birch Grove, Barry
WARD	Baruc
APPLICANT	Sherman
PROPOSED DEVELOPMENT	Removal of chimney stack and replacement of roof slates.

BACKGROUND

The application site is 21 Birch Grove, Barry. It is a semi-detached house, located within a wholly residential street scene made up of dwellings of similar design and finish. The site lies within the Barry Marine Conservation Area.

PROPOSAL

The applicant is again attempting to gain retrospective consent for the removal of a chimney stack and replacement of roof slates in a like for like situation. The adjoining dwelling has already replaced their roof slates in a similar fashion and extended their loft space. Previous applications indicate that the VOGC has no objection to the replacement of the roof slates, barring certain information regarding the roof slates being provided by the applicant.

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

Previous BTC observations:

The proposals would have a negligible impact on both visual and residential amenity and are unlikely to be resisted, regardless of the dwellings location within the conservation area.

Previous VOGC observations (2024/00416/FUL):

Issues

The development does not have any adverse impact on neighbours' living conditions, amenity space provision or parking. Consequently, the sole key issue in this assessment is whether the removal of the chimney preserves or enhances the character of the conservation area.

Design and Visual Impacts

A schedule of the most relevant policy criteria from the Vale of Glamorgan Adopted LDP is included below.

Policy SP10 (Built and Natural Environment) of the LDP states that: Development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan including:

- 1. The architectural and / or historic qualities of buildings or conservation areas including locally listed buildings;***

Policy MD8 (Historic Environment) of the LDP states that "development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically:

- 1. Within conservation areas, development proposals must preserve or enhance the character or appearance of the area;"***

Policy MD2 (Design of New Development) of the LDP 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;***

Policy MD5- Development within Settlement Boundaries is a further criteria-based policy which relates to new development within settlements such as Barry, echoing the sentiments of Policy MD2, including criterion 4 that proposals would not result in the loss of natural or built features that individually or cumulatively contribute to the character of the settlement or its setting. This is supported in principle by Planning Policy Wales (12th Edition), TAN 12 (Design) and the Council's adopted Residential and Householder Development SPG.

The property is in the style of the wider garden suburb established to the north of Romilly Park, with white painted rough cast properties with hipped slated roofs and architectural detailing such as brick chimneys. No. 21 is one of a

pair of properties which shares a central chimney stack but both have chimneys to the hipped roof edges forming a symmetry.

The host dwelling is situated in a prominent location which is highly visible from the adopted highway. Consequently, due to the prominence of the host dwelling and highly visible nature of the chimney, it is considered that the removal of the chimney from the main section of the dwelling has contributed to eroding the character of the conservation area at odds with the provisions of Policy MD8.

Chimneys provide interesting and distinctive patterns in the roofline, making a positive contribution to the quality and general appearance of the area. For this reason, it is rarely appropriate to alter or remove a chimney stack. The Barry Marine Conservation Area Appraisal and Management Plan (CAAMP) notes that the loss of architectural detail as an issue stating that ‘the incremental loss of original building materials and architectural detail is cumulatively eroding one of the characteristic features of the Conservation Area.’ As such the CAAMP makes the following recommendation: “The Council will encourage restoration of architectural detail/reversal of unsympathetic alterations especially timber windows, chimney stacks and original roof covering.”

The comments received from the Council’s Conservation Officer reflect that the loss of the chimney has imbalanced the pair and therefore the character of the property and wider area. The removal has resulted in a loss of an architectural detail which reflects the age and style of this garden suburb inspired development. The conservation area appraisal and management plan for Barry Marine recommends the avoidance of loss of such architectural details which is seen to erode the characteristic feature of the conservation area. Overall, the comments note that the loss of the chimney is objected to as the impact would see the loss of a historic architectural feature which has not been justified.

Moreover, the other retrospective alterations to the roof include the addition of skylights to the North and South, to match the neighbouring property, No.19, Birch Grove, which were approved under 2022/00007/FUL. The Council’s Conservation Officer noted that the roof lights are not objected to but should be flush fitted.

The proposal also seeks to replace the existing roof slates. The new roof would match the neighbouring property, identified as Cembrit Jutland Graphite. The Council’s Conservation Officer made the following comments: It is not clear what the current roof covering is made of, and the loss of natural slate would be unfortunate, the change to a cement fibre slate is considered acceptable in principle. To ensure the proposal matches that currently on site and the neighbour information as to the current size and coursing should be provided to ensure that the proposal matches, this can be conditioned.

Therefore, noting the above, it is considered that should the entire application be considered acceptable, then a condition would be used to require

information on slate sizes, colour and proposed coursing pattern and a condition would be added to ensure that the roof lights are flush fitted. As such, it is considered that the proposed replacement roof tiles and roof lights are acceptable in principle and would not detrimentally harm the character of the Conservation Area.

However, notwithstanding the above, it is considered that that the removal of the chimney stack fails to preserve the character of the Conservation Area. Approving the retrospective works would conflict with the Council's duty under section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, with respect to any buildings or other land in a conservation area, where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Therefore, the decision would also conflict with Policies SP10 and MD2, MD5 and MD8 of the LDP.

Birch Grove features 9 pairs of semi-detached dwellings and 3 detached dwellings. Each detached dwelling features a single chimney stack. Of the semi-detached dwellings, 6 pairs feature 1 chimney stack, centrally located and shared between dwellings and 3 pairs featured 2 chimney stacks, 1 centrally located and one generally located to the right elevation of the dwellings as seen from the street. One of these 'right-handed' chimney stacks was removed by the applicant.

The following is an extract from the officer delegated report of approved application 2022/00007/FUL:

The hip to gable roof extension would result in some minor unbalancing of the pair of semi-detached properties. However, due to the location of the application property at the end of the cul de sac and adjacent to a pair of gabled properties, it is not considered that it would appear unduly incongruous.

This is the only part of the entire report that mentions the hip to gable enlargement in assessment terms. This application was approved on 05/04/2022.

The VOGC has stated within the last 2 years that a hip to gable roof enlargement in this conservation area, in this street, to the attached dwelling results in "some minor unbalancing".

Whilst I sympathise with the officers reasoning above it is not something, I believe, that would stand up to PEDW scrutiny. The application would have likely been approved on appeal.

The removal of an ancillary chimney stack, in a street where only three exist (two currently), is what I would consider a 'minor alteration'. Further to this, considering previous reasoning and approved consents in this street the VOGC would either have to decide to ignore previous precedents entirely, wipe the slate clean and begin anew with any future consent in the interest of 'preserving the character' of the conservation area; or alternatively, approve the application.

I would recommend that members strongly support the application and also that they recommend that the applicant appeal the previous consent through PEDW.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 05/09/2024

COMMENTS DEADLINE – 26/09/2024

APPLICATION NO. (S)	2024/00758/FUL
LOCATION	Christ Church Presbyterian, Tynewydd Road, Barry
WARD	Buttrills
APPLICANT	Bellavista Properties Development Limited
PROPOSED DEVELOPMENT	Proposed change of use to retail, restaurant and staff accommodation with first floor rear extension with internal alterations.

BACKGROUND

The site relates to Christ Church Presbyterian, Tynewydd Road. The building is a large gothic church located in a highly prominent location within the settlement of Barry and just outside of the Holton Road District Shopping Centre. The site includes a single storey pre-fabricated building located to the rear of the main building which was used in connection as priest accommodation.

The building is neither Listed or within a conservation area.

The site has a long and varied planning history, which includes an expired consent for conversion of the building to retail and office usage, refurbishment (extant) and demolition (extant).

1993/01095/OUT
Decision: Refused

Proposal: Residential
Decision Date: 1994/03/15

1993/01096/OUT
Decision: Approved

Proposal: Retail with offices
Decision Date: 1994/03/15

1993/01097/OUT
Decision: Refused

Proposal: Offices
Decision Date: 1994/03/15

1998/00132/FUL
Decision: Refused

Proposal: Conversion of Chapel into offices with associated parking
Decision Date: 1998/04/02

2011/01046/FUL
Decision: Approved

Proposal: Install disabled ramp to chapel, 2 no. new external staircases and solar panels
Decision Date: 2011/11/23

2019/00361/FUL

Proposal: The existing single storey building to the rear is to be refurbished internally with a new porch to front

property. Also, existing door to be replaced with window and also front window reduced in size
Decision: Approved **Decision Date:** 2019/06/19

2021/00903/PND **Proposal:** Demolition of existing church building which is derelict and not in use
Decision: Requires PA **Decision Date:** 13/08/2021

The site is curtailed to the north, south and west by the residential curtilages of adjacent dwellings, with further residential properties beyond. To the west of the site lies Wyndeham Street Roundabout, which connects with Tynwydd Road. Beyond this lies Barry Library, Barry Town Councils Offices and King Square.

PROPOSAL

The applicant proposes the change of use of the Church and associated buildings (D1) to retail (A1), restaurant (A3) & shared accommodation (C4).

Main Building

The principal elevation of the church fronting the highway would see alterations at ground floor level, with the entrance and a large section being changed from classical pennant stone to a new 'glazed' shopfront including signage. Windows are to be reinstated at first floor level to the south facing elevation. An existing window at first floor level to the north facing elevation is to be replaced by a fire door, with a steel staircase provided to facilitate exit in an emergency. The bird and bat box are proposed to the rear elevation.

Single-storey attachment to west of Main Building

From plans, the works proposed here will require the erection of a new wall to the southern facing elevation to 'square off' the building to allow for the new extension at first floor level. The proposal would largely occupy the same footprint as this part of the original building, but be two-storey in nature with a flat roofing profile, rather than single storey only with a pitched roofing profile.

This part of the building would be finished in white painted, cement rendered walls at ground floor and aluminium cladding to first floor level. The position of fenestrations to the ground floor of the proposal will remain largely like for like, beyond an increase in the size of the doors to the southern facing elevation. New fenestrations are proposed to first floor level in the northern, southern and western facing elevations (two each). The northern and southern openings would serve private dining areas, with those facing west serving the proposed kitchen of the 'fine-dining' establishment.

Priest/separate accommodation

The detached building to the rear will remain largely untouched, with just the addition of a single window proposed to its northern elevation.

All aspects of the proposal would require the internal remodelling of the existing building to provide the required space for the uses listed by the applicant. The largest alterations would include a new first floor level within the main building to accommodate the restaurant, and a new first floor extension to the western side of the property to allow for further associated space for the restaurant.

The new HMO to be provided within the detached building to the rear features 4no. bedrooms. The applicant has indicated that these would be for the use of staff as 'staff accommodation'. This cannot be conditioned by the local authority as it is not reasonable, as such it will be assessed as a separate unit of accommodation. As the applicant has indicated that this will not be for a single family unit, but rather for unrelated individuals, the proposal will be classed as C4 (HMO).

Associated landscaping, cycle parking and separate refuse storage areas for both commercial and residential uses are all shown on plans. An area to the south of the site appears to feature a new access from the Highway in order to facilitate the loading and unloading of goods. This will access the network just below the Wyndeham Street Roundabout, on the southern part of Tynwydd Road. Traffic leaving the site will therefore be relied upon to turn south and follow the one way system in place.

The applicant has indicated that the proposal will generate 5 full time and 5 part time jobs.

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.

A short 'Green Infrastructure & Biodiversity Statement' has been submitted by that applicant in aid of the application. It highlights the installation of bird and bat boxes as part of the development in order to result in a net benefit for biodiversity.

In line with previous consents, the existing building is seen as a potentially suitable nesting/roosting site for bats and/or nesting birds. Given they may already be present in the building, a survey will be required by the VOGC ecologist. This survey will need to be undertaken by a licenced and experienced ecological consultant to determine whether any roosts/nests are present.

OBSERVATIONS

Principle of Development

The principle of residential development is sound considering the location of the site within the settlement boundary, adjacent to a district shopping centre and in walking distance of amenities including rail and bus travel links.

For the same reason, and considering the development lies directly adjacent to the district shopping centre, it is likely that the proposed A1 & A3 uses will be considered acceptable in principle.

Impact upon Visual Amenity

The alterations to the principal elevation of the dwelling would result in an unusual mixing of modern retailing with late 1800's architecture. The building is not listed and not within a conservation area so it is unlikely that the delegated officer will be able to refuse such changes. Having said this, a more conservative schedule of alterations with a skilled architect could result in a more cohesive proposal that honours the previous use of the building whilst catering for the needs of the current owners.

Alterations and reintroduction of fenestrations to the façade of the main building are not considered to be controversial, and the inclusion of a fire exit + staircase has been approved under separate consents.

The inclusion of a 'modern' style design with regard to the first-floor extension to the rear of the building is likely to receive pushback considering its lack of cohesion with the appearance of the church.

Limited alterations to the detached residential unit are negligible in visual amenity terms. The alterations to soft and hard landscaping throughout the site are unlikely to be resisted.

Impact upon Residential Amenity

Alterations to the main building will have a limited impact upon the residential amenities of dwellings adjacent to the site.

The first-floor extension to the rear will result in the application being refused. New fenestrations facing north, south and west of the site all offer unfettered, direct views into neighbouring amenity areas of directly into dwellings. No's 9 & 19 Tynwydd Road as well as No's 50, 51 & 52 Newlands Street would see the residential amenity levels of their occupiers detrimentally impacted through this aspect of the proposal. The loss of privacy, increase in levels of overlooking and increased sense of overbearing will likely form the reasons for the refusal of the application.

The delegated officer may also consider that the first-floor extension causes an unacceptable loss of light and outlook for the adjacent property to the north (No.19).

Impact upon Parking Provision & Highway Safety

As the proposal has been unused and 'derelict' for some time, it is likely that the parking standards that would have applied to the site as a place of worship are now not relevant.

Notwithstanding this, the proposal is in an inherently sustainable location, adjacent to major amenities and travel links. The lack of parking provided is unlikely to form the basis of any refusal.

The application to install a vehicular crossover to provide a location on site for goods to be collected and dropped off is unlikely to be approved. This aspect of the application would result in the loss of on street parking locations in a controlled area which is itself unacceptable. The location of the crossover would mean that large HGV's entering the site would have to reverse down a one-way street directly next to a busy junction/roundabout which will not be approved.

The applicant could try to change the restrictions on the parking bays to the front of the site in order to allow for a set time where only goods vehicles could use the bays weekly. This would have to be negotiated with VOGC. This would also leave a larger area that could be assigned for the amenity use of occupiers of the residential unit.

Amenity Standards for Residential Occupiers

These have not been met, the application will be refused on this basis.

Net Benefit to Biodiversity

A more comprehensive survey will need to be undertaken and submitted by the applicant before the application can be considered for approval.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 10/09/2024

COMMENTS DEADLINE – 01/10/2024

APPLICATION NO. (S)	2024/00768/FUL
LOCATION	97 Tynewydd Road, Barry
WARD	Dyfan
APPLICANT	O'Sullivan
PROPOSED DEVELOPMENT	On Road EV charging solution, amendment to refused dropped kerb application. Permission requested to break into the pavement to provide an EV charging gulley. The Gulley would run through the pavement from the edge of the property at 97 Tynewydd Road to the highway to enable a safe on road solution to home EV charging.

BACKGROUND

This application relates to 97, Tynewydd Road, a semi-detached property in the Barry settlement boundary as defined by the Vale of Glamorgan Local Development Plan. Tynewydd Road is a c-classified road – C4298. This part of Tynewydd Road has limited off street parking with the majority being on street with a strong character of low front boundary treatments. The site is close to junctions with Somerset Road which crosses Tynewydd Road approximately 20 metres to the south of the site.

History:

2020/01380/FUL, Proposal: First floor balcony extension to rear elevation, **Decision: Refused**, Decision Date: 11/01/2021;

2022/00187/FUL, Proposal: Dropped kerb and off-street parking. Conversion of current front garden to a driveway to enable off street parking and access to a charging point for an electric motor vehicle. This will require the Kerb to be dropped to allow access to the proposed drive. The entire front garden will be converted into a driveway to allow the car to be parked parallel to the house, **Decision: Refused**, Decision Date: 22/06/2022

2024/00136/FUL, Proposal: Dropped kerb to front of property, **Decision: Refused**, Decision Date: 22/07/2024

PROPOSAL

The applicant proposes the installation of a 'charging gulley' to run through the pavement adjacent to No.97 Tynewydd Road. The proposal would allow the applicant to run an EV charging cable from their dwelling to the highway without causing a hazard to pedestrian users of Tynewydd Road.

BIODIVERSITY

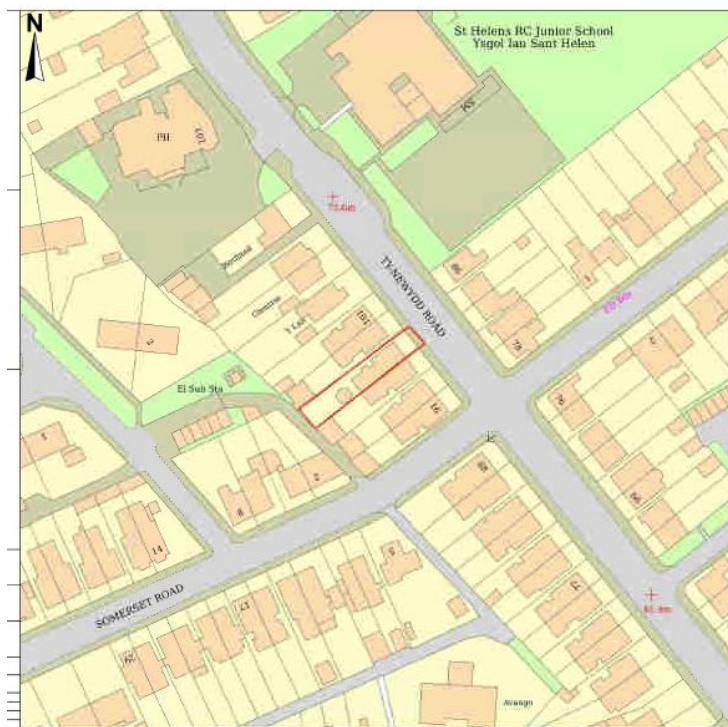
Paragraph 6.4.5 of Planning Policy Wales (Edition 11, 2021) states that “Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and 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 application is acceptable in principal. The proposal will have no detrimental impacts to visual or residential amenity.

Given the information submitted and the strong presumption in favour of this type of development within policy, it is believed that the application will likely be approved. There may be more fine detail sought by the Council’s highways team as well as several development specific conditions applied to any subsequent consent.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 10/09/2024

COMMENTS DEADLINE – 01/10/2024

APPLICATION NO. (S)	2024/00772/FUL & 2024/00773/LBC
LOCATION	College Fields Nursing Home, College Fields Close, Barry
WARD	Buttrills & Dyfan
APPLICANT	George
PROPOSED DEVELOPMENT	Retain fire barriers installed in loft space and temporary external fire escape stairs

BACKGROUND

‘College Fields Nursing Home – Barry’ is accommodated within the building formerly known as Neuadd Forganwg. The building was built to use as a Polytechnic College of Wales and is currently in use as a nursing home.

The property is Grade 2 listed and was listed on 24th June 1986 CADW reference No. 13415. The college was built as part of a block of three buildings that were linked by single storey corridors.

College Fields is constructed of facing brick with ornate brick quoin details and bath stone band courses. The timber sliding sash windows are in a symmetrical layout with dormer windows into the roof which exaggerates natural light to the third floor.

The building is constructed in a “U” shape and is laid out over three floors. The principal front elevation faces south-east towards the town and docks and there are two wings connected to the front elevation facing north-east and south-west. The rear (north-west elevation) is made up of service areas, with access to kitchens and laundry, external bin storage, lift, mortuary and external fire escapes.

PROPOSAL

The applicant proposes to retain the constructed fire barriers installed within the loft space and temporary external fire escape stairs. This application is retrospective.

Statement submitted:

The building as existed does not meet current fire safety requirements which is a risk to vulnerable residents and staff. A Fire Risk Assessment was carried out and the building required urgent fire safety measures done for the safety of all occupants. If these were not carried out immediately, the care home would need to be closed down. Considering the pressure from local Health Board not to close the care home due to demand for beds applicant had no alternative but to carry out the required fire safety measures.

One of the fire safety requirements was installation of fire barriers in the loft to stop the spread fire in an unfortunate event of fire. Also, another requirement was an installation of a fire escape stair. Original external stair was taken down to locate the new lift. This fire escape stair will be temporary until the proposed rear link building is built where fire escape stair will be eventually located. This link building design is being undertaken by a conservation architect. Final design is expected very shortly.

Installation of these fire barriers has improved the fire safety of the building to meet current fire regulations.

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 biodiversity statement:

As part of the proposal Bird and Bat boxes will be installed on the rear elevation of the building. It is also proposed to plant two apple trees in the front garden.

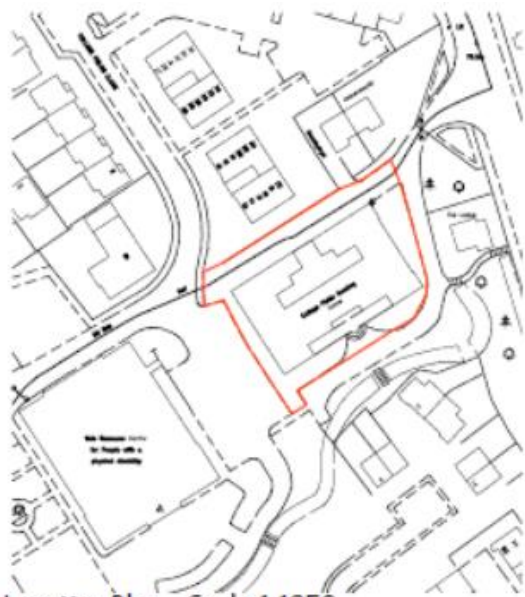
OBSERVATIONS

The completed fire barriers are contained entirely within the host buildings roofing profile. They are internal only and have caused no visual change that can be seen anywhere beyond within the loft itself. The loft itself is currently a void, with timber beams supporting the pitched roof and previously installed insulation.

The fire stairs have been implemented to replace an original external staircase. Due to the nature of the stairs and their requirement to comply with separate legislation they were erected without formal consent. They are proposed to be temporary in nature.

Given this reasoning it is advised that no objection to the scheme be tendered. Future applications for more permanent structures are expected.

SITE PLAN



Location Plan - Scale 1:1250

BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 10/09/2024

COMMENTS DEADLINE – 01/10/2024

APPLICATION NO. (S)	2023/01269/FUL
LOCATION	61, Ffordd Pentre, Barry
WARD	Baruc
APPLICANT	Mark
PROPOSED DEVELOPMENT	Relocation of extension of garden fence to facilitate disabled access and increase safety from vehicles

BACKGROUND

The application site is located towards the north of Ffordd Pentre, to the south of 'The Mole'. The specific area under consideration appears to be part of a private drive and off-street parking area for residents of dwellings off Ffordd Pentre.

PROPOSAL

The applicant proposes the removal of an existing fence adjacent to the principal elevation of No.61 Ffordd Pentre. A new fence would be erected that encloses a larger area to the front of the dwelling. This area is also in use as stated above.

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

Planning application form (ownership certificates)

The application may need to be made invalid following officer review. Certificate of ownership A & B have been signed referencing the occupant of address 61 Ffordd Pentre. This refers to the applicant. The site in question forms part of a shared drive and off-street parking area for nearby residential units; therefore, all users / co-owners of this area would need to be informed of any works occurring and application made to the local authority within this area. As the proposal is already the subject of an ongoing enforcement case (ENF/2023/0334/PC-61), there is existing public interest.

Principal of Development

The proposal is for the relocation of a fence within a residential area, inside of the Barry settlement boundary. As such the principal of development will be established.

Visual amenity

It is unlikely that the proposal will result in any degradation of the visual amenity of the area in which it is proposed.

Residential amenity

The proposal will have no impact upon the residential amenity of any adjacent occupier.

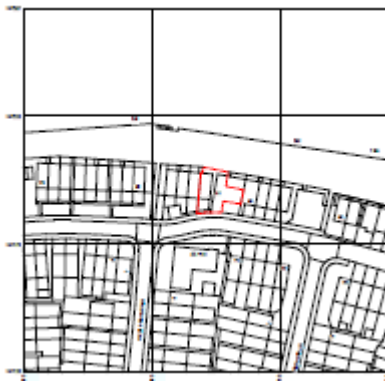
Parking provision & highway safety

The application will encroach upon space allocated for the turning of vehicles, within a private drive, servicing off-street parking spaces used by local residents. Swept path analysis of the off-street parking spaces will likely be required by the highways officer to ensure the continued feasibility of the use of the spaces.

Land ownership

Given the nature of the site, the applicant may not have full ownership of the area in which the development will occur. Whilst not ideal, building upon land that is not wholly within your ownership is a civil matter, between impacted parties of which the council will not interfere.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 30/08/2024

COMMENTS DEADLINE – 30/09/2024

APPLICATION TYPE	PAC
LOCATION	Berth 31 Port of Barry CF63 4AB
WARD	Castleland
APPLICANT	South West Wood Products Limited (SWWP)
PROPOSED DEVELOPMENT	Change of Use to Wood Recycling Facility

BACKGROUND

As per submitted planning statement:

The proposed site is part of the Port of Barry estate. The site has an area of 4.25ha. It is located in an industrial area which is allocated as employment land. The site is accessed off Wimborne Road, which is the main access to the docks and which links directly to Fford y Mileniwm, the town of Barry's eastern by-pass and distributor road.

The site is bounded on the northwest and south west by an existing screen bund, up to 8m in height and planted with what are now maturing trees. The south eastern boundary is with the dock. The site occupies relatively flat land.

The immediate surrounds are the docks themselves with various dockside operations and other industrial operations together with large areas of open, unused land and the open water of the docks themselves.

To the immediate north-west of the site is a small construction yard utilised as a mobile plant training area. Beyond this, and to the west and south-west of the site, is an extensive area of waste ground also within the employment land allocation. To the north of the site, and north of Wimborne Road, there is a Site of Importance for Nature Conservation (SINC) known as the Cadoxton Wetlands. This is an area of restored wetland comprising tall herb, scattered scrub and grassland habitat, together with two small lakes and a reedbed.

Further to the west and north of the site, the nearest residential properties are located to the west ~260m from the site boundary. It is understood that planning for residential properties at the former sidings, Ffordd y Mileniwm, was granted in March 2023 and is currently (February 2024) seeking approval of reserved matters.

The proposed wood recycling facility area extends to 4.25hectares, the majority is composed of an extensive concrete area. The remainder is

currently hardstanding. Existing infrastructure on site includes a water storage tank, lighting columns, offices, weighbridge, and ancillary structures.

The site is secured and within the area controlled by Associated British Ports (ABP).

The most recent permission for the site is Planning Permission 2015/00360/FUL which covers a similar operational area and was granted on 04/09/2015 for “Facility for the recycling of incinerator bottom ash (IBA) to produce aggregates (IBAA) and the recovery of metals”.

An application was made to the Vale of Glamorgan Council in 2017 for a Lawful Development Certificate (ref: 2017/00806/LAW) to establish the use of the part of the land subject to this application for the handling, storage and distribution of pre-processed wood. That was refused on 03/04/2020, as the LPA was not satisfied that the use had been for 10 years continuously.

The site does not fall within any landscape, national or international conservation or heritage.

Sully Island component of the Severn Estuary (Wales) Ramsar and Special Protection Area is within 3.6 km of the site. There are two SSSI within 2km but both are designated for geological rather than ecological reasons (Bendrick Rock and Barry Island).

In terms of heritage designations, the former Dock Offices to the north-east of Number 2 Dock (Grade II* listing), the former Customs House and Mercantile Marine Office at the southern end of Dock View Road (Grade II listing) and Cadoxton Court, off Gladstone Road, 500m north-west of the site (Grade II listing) are those in proximity to the site.

The site is located within Flood Zone B. No public rights of way cross the site nor are found nearby.

PROPOSAL

As per submitted documents:

South West Wood Products Limited (SWWP) propose to apply for planning consent to permit the processing and storage of waste and virgin wood with its importation and export by road and ship.

SWWP are formally consulting in order to publicise the proposed development and to allow for points raised to be considered and addressed prior to the application being submitted to Vale of Glamorgan Council.

SWWP is required to serve notice on owners and/or occupiers of adjoining land and Community Consultees. The formal notices were served on 30/08/2024.

At the time of writing SWWP are considering commencing operations on the site under Permitted Development rights associated with the use of the site as a dock. Those operations cover broadly the same area and are unlimited in terms of tonnages or operational hours. The change of use to a wood recycling facility, rather than dependence on permitted development rights is required to provide flexibility in processing and transporting the wood waste. It also allows the Local Planning Authority to condition the use of the site.

The proposal is for a change of use to a wood processing facility. Ancillary to this there will be HGV parking. The existing office and welfare facilities will be updated with temporary modular accommodation. The existing water tank, wood retention blocks and weighbridges will also be retained and used.

All plant used on site will be mobile. The machinery and plant involved in processing operations includes loading shovels, excavators, screeners, shredder, trommel and eddy current. The majority of the site will be used for wood storage.

Processing will be restricted to 0700- 2300, the noise impact of this has been assessed and is addressed in the relevant chapter of the ES.

The direct employment created by the facility will total 20 staff and an estimated 20 HGV drivers

Access to the site benefits from adequate visibility splays.

A Noise Management Plan (NMP) has been drafted. Mitigation measures are proposed.

A Dust Management Plan (DMP) has been drafted. Mitigation measures are proposed.

The NMP & DMP will be controlled via permit issues by NRW.

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.

In terms of ecological interest the site has no habitats for any flora or fauna. An ecological assessment was carried out in respect of the site identifying and subsequently ruling out bat roosts in the concrete structures on site. As an active industrial site in an industrial location no specific habitats would have been expected but a precautionary approach has been taken. The air quality

assessment considered the risk to the SINCs at within 400m of the site are the Cadoxton Wetlands and Cadoxton River.

OBSERVATIONS

Potential Issues –

Noise and Dust – handled via NRW, will be strictly monitored & controlled by permit.

Flood Risk & Surface Water Drainage – the technical assessment in the ES chapter demonstrates the acceptability of the solutions designed to ensure that the site adequately manages the water environment. – This will be reviewed by VOGC Officers in SWD, Transport, Environmental Health etc.

Landscape & Visual Impact – The proposal is for an industrial usage within a site designated for industrial use.

Traffic – The submitted transport assessment has considered the very worst case scenario of 250,000 tonnes per annum being moved by road. This impact of the development traffic on the highway network was considered to be at less than 1% on all relevant highway links.

SITE PLAN



BARRY TOWN COUNCIL

PLANNING COMMITTEE – 24/09/2024

EFFECTIVE DATE OF RECEIPT – 21/08/2024

COMMENTS DEADLINE – N/A None required.

PEDW APPLICATION NO.	CAS-03446-Y7Q2W0
VOGC APPLICATION NO. (S)	2024/00154/FUL
LOCATION	Bambrah Stores, 25-27, Ivor Street, Barry, CF62 5UL
WARD	Baruc
APPLICANT	SinghSingh
PROPOSED DEVELOPMENT	Conversion of two first floor flats to three flats

BACKGROUND

PREVIOUS BTC REPORT AND RESPONSE:

BACKGROUND

The application site is the first floor of 25-27 Ivor Street, a two-storey, semi-detached set of dwellings sited towards the eastern side of Ivor Street, near the junction with Plymouth Road.

The upper floors of both properties are currently in use as two separate units of accommodation, with the commercial shop being run across both ground floors.

HISTORY – 2023/01028/FUL – Conversion of two first floor flats to three flats – Decision – Refused – The development fails to provide the flats with direct access to an area of outdoor amenity space, and the amenity space provided is considered insufficient to serve the occupiers of the flats. The proposed development would therefore be a substandard form of living accommodation that fails to meet the basic amenity requirements of the occupiers.

PROPOSAL

The flat to the north would be subdivided into two separate units of accommodation, one studio flat and one, one bedroom flat. The flat to the south (part of 27 Ivor Street) would remain unaltered.

As part of this application the garage to the rear of the property would be removed and a new external door access to the amenity area would be added from the existing side lane.

OBSERVATIONS

The proposal would have no impact upon the visual amenity of the host dwelling or wider area.

The proposal would have no impact upon the residential amenity of the adjoining or adjacent occupiers.

The space standards required for the flats should be checked closely.

There would be no alterations to the off-street parking requirement from the existing use to the proposed.

As previously stated in the officers delegated report for application 2023/01028/FUL –

The proposed site plan shows that there is an area of amenity space to the rear of the building which is paved and is approximately 52m² in size. The proposed conversion would result in 1no. two bed flat and 2no. one bed flats, and therefore provision for 6 persons would need to be made based on the guidance in the SPG, amounting to a total requirement of amenity space between 75m² to 120m² Whilst there is often some justification for a degree of flexibility to be applied in respect of amenity space, particularly in constrained urban sites, in this case the deficit would be less than the guidance within the SPG and moreover the amenity space would also be of poor quality and not readily accessible.

There are two narrow spaces either side of the building which reduces the meaningful and useable area of amenity space. There is a roller shutter to the rear of the yard that provides vehicular access for deliveries to the shop, as approved under ref. 2005/00075/FUL, which would obstruct the amenity space when in use. As such whilst the amenity space would accommodate bicycle and bin storage, it is not considered that it is sufficient to accommodate other essential functions of amenity space and would consequently fail to comply with paragraphs 10.1 and 10.3 of the SPG. Furthermore, access to the amenity space cannot be gained directly from the flats and instead relies upon access through the shop at ground floor level or from the rear of the site via a gated access from the highway. This arrangement is not considered practical or convenient for occupants and is contrary to key principle iii) of the SPG.

The agent has stated in email that there is no access to amenity space as existing, however whilst the current arrangement for the two-bed flat to remain as existing is not compliant in this regard, there is nevertheless a requirement to provide amenity space for the units created by the subdivision in accordance with the SPG standards. The intensification of the use of the premises, with additional flats would therefore compound an already poor relationship as detailed above.

Internally the proposal will result in one of the two 2-bed flats being subdivided into two smaller flats, one of which would take the form of a studio with combined living/kitchen/bedroom space. The studio is small in size, providing approximately 23 sqm of living space, and whilst there are no

adopted space standards at a local or national level where the dwellings are to be privately occupied, this is considered to be inadequate in isolation but particularly in the absence of suitable access to outdoor amenity space. As such, it is considered that the proposal would result in poor standards of living for future occupants.

In light of the above, the proposal is considered to provide inadequate levels of amenity for occupants and is contrary to Policy MD2 (Design of New Development) criterion 9 and advice contained within the Residential and Householder Development SPG.

Also, as indicated previously in Policy MD2, In flatted developments (including conversions) all units should be provided with direct access to amenity space within/through the site. Indirect access to amenity space (for example along the highway) will not be acceptable.

Considering this and the previous reasons for refusal it is deemed likely that the application would be refused by the VOG Council on a similar basis to before. It is recommended that members tender an objection to the application.

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	24 September 2024	AGENDA ITEM: 7
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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	Barry Town Councils Observation	LPA's Decision
2024/00306/FUL	Proposed redevelopment of vacant brownfield site at Barry Waterfront for a new educational campus for Cardiff and Vale College including landscaping, related infrastructure and engineering works at Land to the South of Hood Road, Barry	No Objection	Approved
2024/00408/FUL	Proposed rear kitchen extension. Proposed demountable rustic timber storage shed to front side garden area at 13, Minster Close, Barry	No Objection	Approved
2024/00508/FUL	One and two storey side and rear extension with front porch	No objection	Approved
2024/00539/FUL	Proposed Rear and Side Extensions, Balcony and detached Garage/Workshop	No objection	Approved
2024/00263/FUL	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.	No Objection	Approved

2024/00646/FUL	Erect a storm porch to the front elevation.	No objection	Approved
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Application for a Premises Licence – 20-21 Broad Street, Barry, CF62 7AD
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 4th September 2024

The application seeks permission for;

Sale of Alcohol OFF the premises : Monday to Sunday 06:00 to 23:00

Any observations in respect of this application must therefore be made in writing to the Licensing Department by 2nd October 2024 to be taken into consideration.

**Application for a Premises Licence - Seaview Bar, 1 Esplanade
Buildings, Friars Road, Barry Island CF62 5TJ**

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 4th September 2024

The application seeks permission for;

Sale of alcohol ON and OFF the premises: 11:00 to 23:00 Monday to Sunday.

Any observations in respect of this application must therefore be made in writing to the Licensing Department by 4th October 2024 to be taken into consideration.

Application for a Variation of Premises Licence – Kanya, 10-11 Broad Street, Barry, CF62 7AA

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 10th September 2024.

The application seeks permission for;

- 1) Extend hours for sale of alcohol, late night refreshment and recorded music to 03:00 Friday, Saturday and New Years Eve
- 2) Remove first floor from premises licence.

Any observations in respect of this application must therefore be made in writing to the Licensing Department on/by 8th October 2024 to be taken into consideration.

Application for a Grant of Premises Licence – View 62, Friars Road, Barry, CF62 5TR

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 11th September 2024

The application seeks permission for;

Sale of Alcohol ON the premises: 10:00 to 22:45 Sunday to Monday
10:00 to 01:00 Friday and Saturday

Live Music 08:00 to 01:00 Friday and Saturday

Recorded Music : Friday and Saturday 08:00 to 01:30

Any observations in respect of this application must therefore be made in writing to the Licensing Department on/by 9th October 2024 to be taken into consideration.

**Application for a Grant of Premises Licence – Toms Bar, first floor, 10 Broad Street
Barry CF62 7AA**

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 12th September 2024

The application seeks permission for;

Sale of alcohol ON the premises: 12:00 to 00:00 Monday to Sunday.
Provision of late night refreshment (indoors): 23:00 to 00:00 Monday to Sunday.
Playing of recorded music (indoors): 12:00 to 00:00 Monday to Sunday.

Any observations in respect of this application must therefore be made in writing to the Licensing Department on/by 11th October 2024 to be taken into consideration.

**Application for a Premises Licence – Namsan Chicken, 9 Thompson Street,
Barry CF63 4JL - [Restarting consultation due to not advertising correctly](#)**

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 12th September 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 11th October 2024 to be taken into consideration.