

# QUESTION 16biii

QUESTION  
16biii

Mrs Pam Crosby, 2, River Walk, Llantwit Major, Vale of Glamorgan., CF61 1SY  
Alan Gillard RIBA, 7, Kemps Covert, St. Donats, Vale of Glamorgan., CF61 1YZ

**Plot adjacent to 2, River Walk, Llantwit Major**

New 3 Bedroom dwelling

SITE DESCRIPTION

The site comprises a vacant site, approximately 270 sq.m in area, sited adjacent to No. 2 River Walk, within the Llantwit Major Conservation Area. The site is enclosed to the frontage by a low stone wall, and is bordered on its southern edge by the Grade II Listed Swimbridge farmhouse, and incorporates a large Ash tree. The Ogney Brook runs along the site's western edge.

DESCRIPTION OF DEVELOPMENT

The scheme relates to the construction of a detached dwelling, with a gross floor area of 104m<sup>2</sup>. The dwelling would be sited along the south-western boundary, and be constructed to a ridge height of 6.8m to ridge, 0.7m below that of No. 2 River Walk and approximately 7.5m above pavement level.

A Design Statement has been submitted with the application, along with a Tree Survey and Arboricultural Implications assessment. The architect states that the design is a modern, pared down version of the local vernacular with hidden gutters, parapet gables and low key surfaces. Materials are locally selected slate, rendered walls and stone boundary walls, with light grey aluminium windows. The Ash tree has been considered as an important component in the landscape and has influenced the orientation and positioning of the dwelling.

PLANNING HISTORY

The site has been the subject of three previous unsuccessful appeals against the refusal of planning permission for residential development, the most recent being application 1989/00571/FUL which was dismissed on 3 February 1990.

CONSULTATIONS

Llantwit Major Town Council have offered no representations to date.

Environment Agency Wales OBJECT due to the site's location within flood zone C2, as defined by the Environment Agency's flooding maps, with the quarterly updated flood map information confirming the site to be within the extreme flood outline. Accordingly, TAN 15 advises that such *highly vulnerable* development should not be permitted within Zone C2, and further advise that such objection would remain unless a Flood Consequences Assessment (FCA) - as referred to in TAN15 - is submitted and is able to demonstrate that the consequences of flooding can be acceptably managed.

The Head of Visible Services (Highway Development) has no objections subject to conditions in respect of parking, boundary enclosures etc.

Dwr Cymru / Welsh Water have no objections subject to conditions in respect of foul water and surface water discharges and land drainage run-off. They also note the site is crossed by a public sewer.

Countryside Ecology offers advice as follows: -

Bats and Trees – recommended that an assessment of any large/mature trees proposed for works/removal be conducted by a licensed bat surveyor to identify any which have may potential bat use. A full bat survey of any trees assessed to have bat potential should then be conducted by the licensed surveyor prior to the granting of planning permission to ascertain presence or absence of bats/bat roosts

Great Crested Newt – It is noted that several ponds lie within 500m of the application site, which is the recognised foraging range for a great crested newt. Recommend applicant is informed of their protection and that good practice guidelines are followed.

Nesting Birds – the vegetation on this application site may potentially be used by nesting birds. Recommend the developer is made aware that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Request a condition be included in any consent that states that any vegetation clearance should be done outside the nesting season unless it can be demonstrated that nesting birds are absent.

Watercourses – It is noted that the proposed works are directly adjacent to the watercourse, Odney Brook. It is recommended that, wherever possible, efforts be made to avoid or at least minimise the impact of the works on biodiversity.

Vale of Glamorgan Conservation Advisory Group at their meeting on 3 January 2008 recommended REFUSAL – The Group felt that the application should be refused on the grounds that the form, scale and design of the application were inappropriate and would not preserve or enhance the character of the Conservation Area.

## REPRESENTATIONS

Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 River Walk, and Swimbridge Farm, were consulted on 13 December 2007, with site notices displayed on 17 and 19 December 2007 and advertised in the press on 19 December 2007.

To date, ten letters of objection have been received from Nos. 3, 4, 5, 6, 7, 10, 11, 12, 13, and 14 River Walk on grounds relating to/including the limited size of the plot; loss of open aspect and impact on the conservation area; impact on adjoining listed building; potential harm to the tree; increased traffic hazards; precedent; previous appeal decision ruled out development; and sewerage/drainage. Copies of the representations are available for inspection on the file.

In addition, a further letter of objection has been received from the owner of Swimbridge Farm, objecting on grounds relating to the impact on his listed building, upon the trees, and concern about sewers running through the site. This letter has also been supported by a petition with 37 signatories, from addresses including those in River Walk and Castle Court.

Cllr Gwyn John raises concerns in respect of:

There is a main sewer situated on the land where the house is to be built, I have photographs to support this claim from Mrs Heather March, formerly a Borough Councillor.

The new dwelling if built will be situated closely to a Grade 2 listed building. The question needs to be asked: Is this an overdevelopment for this small plot of land?

## REPORT

### Planning Policies

The Development Plan for the area comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18 April 2005, and within which the following policies are of relevance:

HOUS8 – RESIDENTIAL DEVELOPMENT CRITERIA HOUS2 SETTLEMENTS.

ENV7 – WATER RESOURCES.

ENV27 – DESIGN OF NEW DEVELOPMENTS.

ENV11 – PROTECTION OF LANDSCAPE FEATURES.

ENV17 – PROTECTION OF BUILT AND HISTORIC ENVIRONMENT.

ENV20 – DEVELOPMENT IN CONSERVATION AREAS.

The Council's approved Supplementary Planning Guidance on 'Amenity Standards' is also of relevance.

### Issues

The site is located within the residential settlement boundary for Llantwit Major and within the boundaries of the Llantwit Major Conservation Area. In addition the adjoining dwelling, Swimbridge Farmhouse, is a Grade II Listed Building.

Accordingly, the principal issues relate to the impact on the character and setting of this part of the Llantwit Major Conservation Area and the Grade II Listed Swimbridge Farmhouse, including the impact upon the Ash tree within the site, and the potential adverse impact of development from flooding. Other matters include highway safety/ paring and amenity space to serve the dwelling.

### Impact on Conservation Area and Adjoining Listed Building

The site in question has been the subject of three previous unsuccessful appeals for residential development, the most recent being in 1990 (ref. 89/00571/FUL).

At that time, the Inspector noted that in laying out River Walk, the site appeared to have been intentionally left undeveloped to safeguard the vista and open space. He considered the original concept and character still remained insofar as the undeveloped, verdant, open quality of the area has been retained, further noting that "open spaces, whether public or private, can be an important characteristic of any Conservation Area and I perceive the appeal site as an integral part of the visual quality of this particular locality". In this respect, he concluded that the mass and silhouette of a dwelling on the appeal site would inevitably have a diminishing effect on its character.

With respect to the setting of the listed building, he considered that the proposed house would be in front of the Swimbridge Farm building line and partly hide its interesting stone and roman tiled outbuilding.

With respect to the impact on the conservation area and listed building of the current proposal, it is acknowledged that considerable effort has been made to design a bespoke dwelling on this site. Nevertheless, it is considered that there have been no material changes in site or policy circumstances since 1990, other than a reinforcement of the policies seeking to safeguard the character and appearance of the Conservation Area and setting of listed buildings. In this respect, there is not considered to be any justification for reaching an alternative conclusion on the current proposals.

The earlier Inspector also considered the dwelling to be intrusive in the street scene due in part to the main garden area for the house being on its visually exposed southeastern side, such area inevitably becoming cluttered with the normal domestic structures and paraphernalia which would be extremely unsightly in the visual context of the locality, with any attempt to screen the garden by high fencing, walls or hedging being quite out of keeping with the frontage treatment of the other houses in River Walk.

Again, although the scheme has been sensitively designed, with careful consideration being given to the relationship with the protected mature tree, and the creation of decking to the amenity area, nevertheless it remains the case that such space would be in public view unless screened, such as by the increase in height of the boundary walling proposed. Nevertheless, it is considered that such changes to the boundary walls are inappropriate, given the low walls that are characteristic as you enter River Walk, while any other attempts to screen the amenity areas would be highly likely to be inappropriate given the open aspect the site currently exhibits. In this respect the scheme remains inappropriate for the reasons given by the 1990 Inspector.

For these reasons, the scheme is considered to amount to an insensitive development, which would not only harm the character and appearance of the conservation area, but would adversely affect the setting of the listed building, contrary to Policies ENV17, ENV20, ENV27 and HOUS8 of the Unitary Development Plan.

## Impact on Protected Trees

The application has been supported by extensive information in respect of the protected Ash tree on the site (and Holly tree/bush), including an arboricultural implications assessment and method statement.

The Tree Officer has reviewed the submissions, and applauds the efforts to retain the tree. She also advises, however, that the Ash has a poor structure; is poorly balanced; has a lot of dead wood throughout the topmost canopy and is in close proximity to a marginally more attractive Willow.

Although virtually the only tree in the close, she further considers it to be so unattractive at the moment as to detract from the local visual amenity, and that gardens of limited size, such as those already existing in the close can only reasonably have small ornamental trees. Ultimately, should the development proceed, it is considered more appropriate to invest in a more appropriate sized tree such as a Cherry or a Field Maple, with the Ash having little merit.

In this respect, it is not considered that there are any objections to the development from a tree perspective, and indeed if the principle of development had been acceptable, then discussions may have taken place with respect to the appropriateness of retaining the tree in any event. Nevertheless, assuming the development is not approved, then the future of the tree is not to be considered at this stage.

## Flooding

Unitary Development Plan Policy ENV7 – Water Resources – requires that development should not be at risk from flooding, or increase the risk of flooding locally or elsewhere to an unacceptable level, such advice being in accordance with advice in TAN15 – Development and Flood Risk.

An objection has been received from the Agency due to the site's location within flood zone C2, as defined by the Environment Agency's Development Advice Maps, with the quarterly updated flood map information confirming the site to be within the extreme flood outline.

Accordingly, TAN 15 advises that such *highly vulnerable* development should not be permitted within Zone C2, and further advise that such objection would remain unless a Flood Consequences Assessment (FCA) - as referred to in TAN15 – is submitted and is able to demonstrate that the consequences of flooding can be acceptably managed.

The need for a FCA has been brought to the attention of the applicant, but at this stage it is not anticipated that such work will be undertaken given the in-principle objection to the development outlined above.

### Highway Safety/Parking

The scheme provides for off-street parking to serve both the proposed and existing dwellings, while the highway officer is satisfied no harm would result subject to conditions in respect of boundary enclosures etc. Therefore there are no objections on such grounds.

### Amenity Space Provision

The dwelling has been designed in such a way as to provide for amenity space to serve the dwelling. While this is not significant in area, it is not considered that its size alone would justify refusal. However, as expressed above, there is concern that the location of such amenity areas would be in public view, unless screened by additional boundary enclosures, the likes of which would be unacceptable in their own accord. In this respect it is considered that the development cannot satisfactorily achieve appropriate, useable and private amenity space to serve the dwelling in question, contrary to Policy HOUS8, ENV27 and the approved Supplementary Planning Guidance on 'Amenity Standards'.

### CONCLUSION

The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

The proposal would, by reason of its siting and form, represent an insensitive and inappropriate form of development, which would adversely affect the amenity, character and appearance of the Llantwit Major Conservation Area, and the setting of the Grade II Listed Swimbridge Farmhouse. It would also result in highly vulnerable development within flood zone C2, with it not having been demonstrated that the consequences of flooding can be acceptably managed. It is therefore contrary to Policies ENV17– Protection of Built and Historic Environment, ENV20 Development in Conservation Areas, HOUS8 – Residential Development Criteria, HOUS2 – Settlements, ENV27 – Design of New Developments and ENV7 – Water Resources of the Vale Of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's approved Supplementary Planning Guidance on 'Amenity Standards', as well as advice in Technical Advice Note 15 – Development and Flood Risk.

## RECOMMENDATION – OFFICER DELEGATED

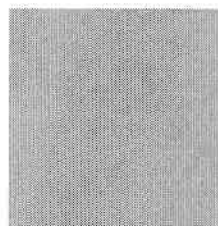
### REFUSE

1. The proposal would, by reason of its siting and form, represent an insensitive and inappropriate form of development, which would adversely affect the amenity, character and appearance of the Llantwit Major Conservation Area, and the setting of the Grade II Listed Swimbridge Farmhouse, contrary to Policies ENV17 - Protection of Built and Historic Environment, ENV20 - Development in Conservation Areas, HOUS8 - Residential Development Criteria, HOUS2 - Settlements, and ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's approved Supplementary Planning Guidance on 'Amenity Standards'.
2. The site lies within Zone C2 as identified by the Environment Agency's Development Advice Maps, wherein such highly vulnerable development is not permitted unless it can be satisfactorily demonstrated that the consequences of flooding can be acceptably managed, with no such evidence having been submitted. It is therefore contrary to Policies HOUS8 - Residential Development Criteria, HOUS2 - Settlements and ENV7 - Water Resources of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as advice in Technical Advice Note 15 - Development and Flood Risk.



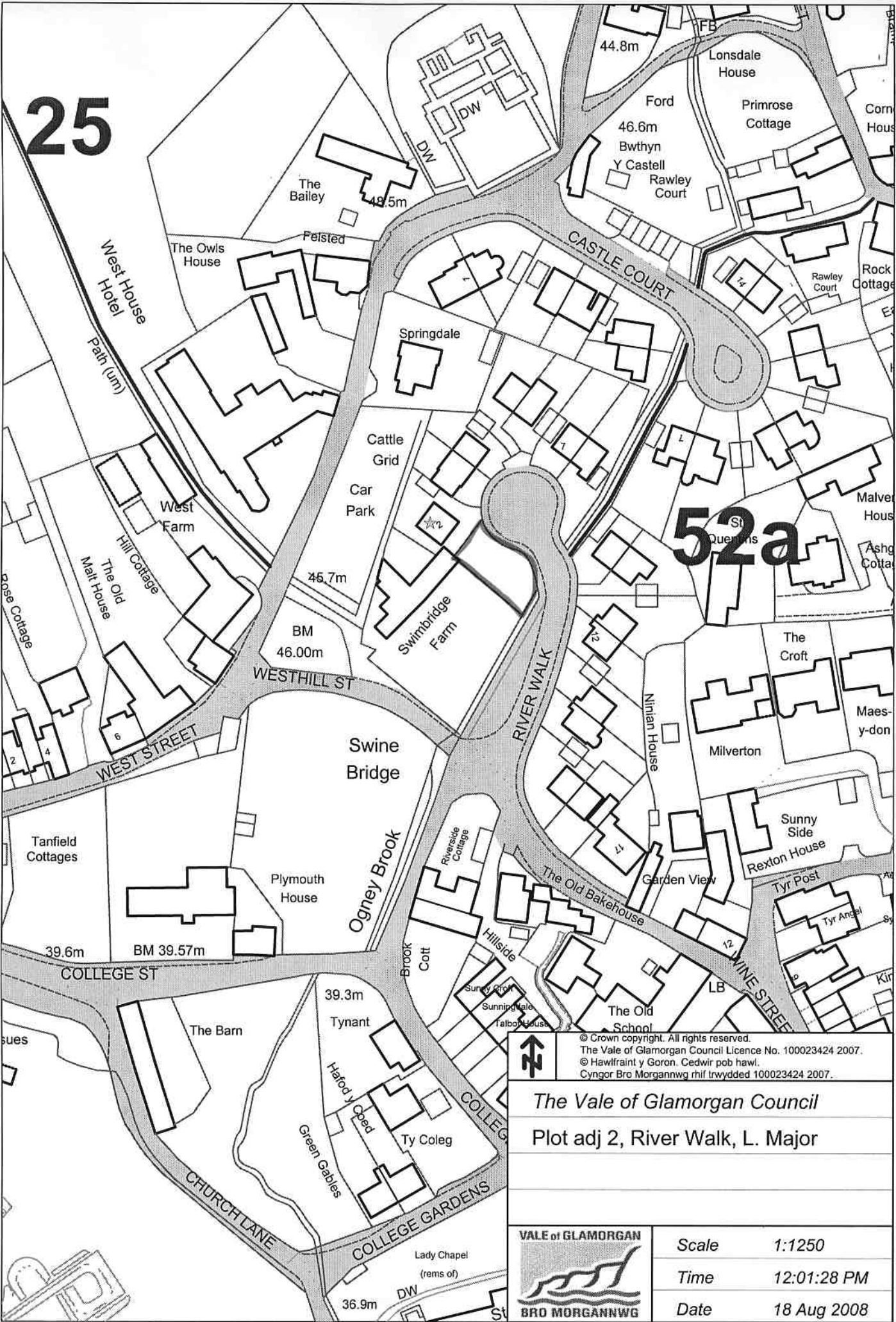


# QUESTION 16bv



QUESTION  
16bv



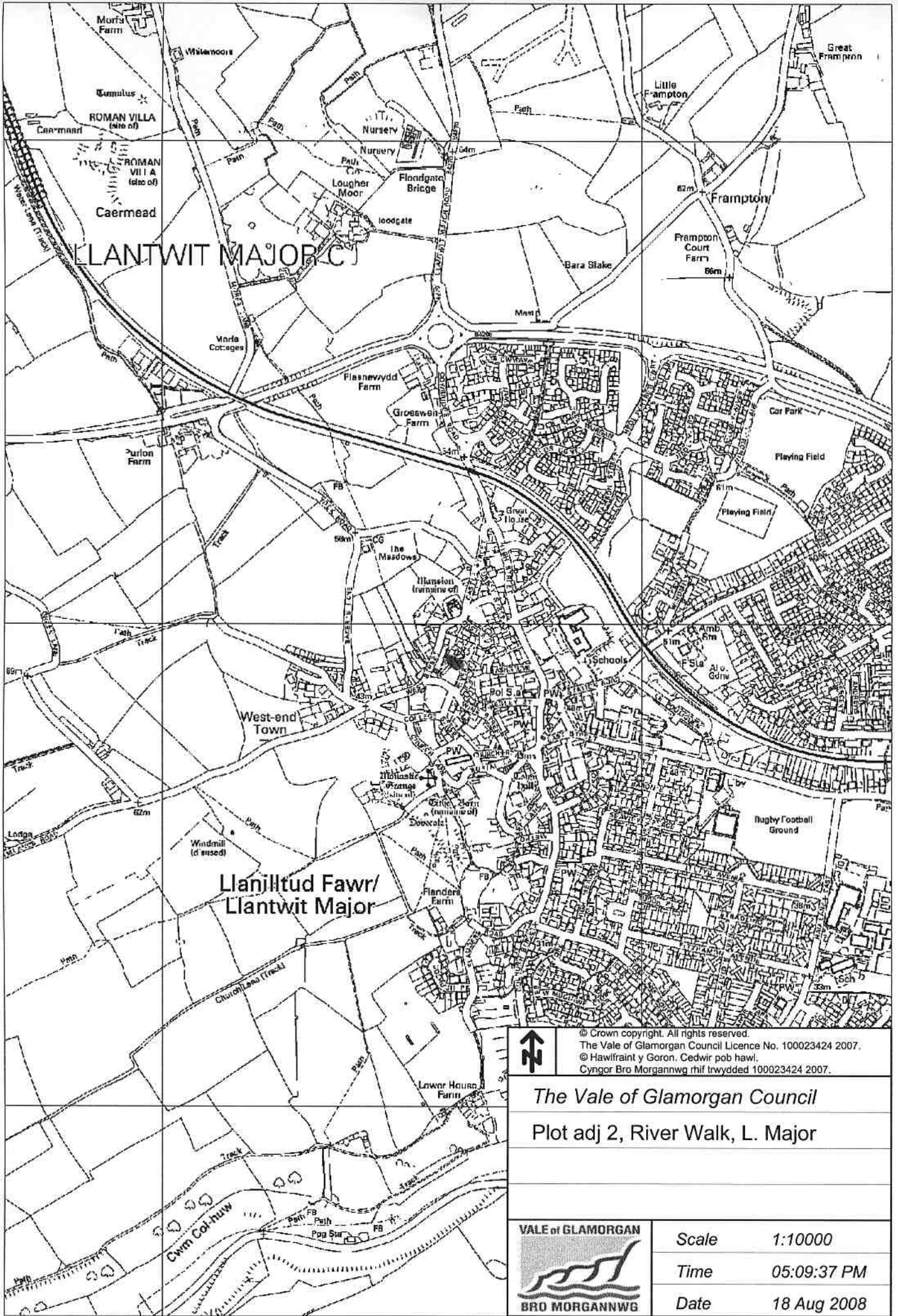



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*The Vale of Glamorgan Council*  
 Plot adj 2, River Walk, L. Major




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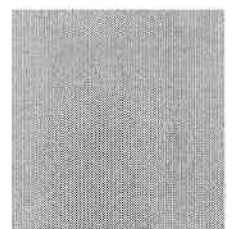

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**The Vale of Glamorgan Council**  
 Plot adj 2, River Walk, L. Major

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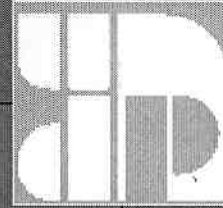
# QUESTION 17



QUESTION  
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The Vale of Glamorgan



***Adopted  
Unitary  
Development  
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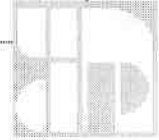
**1996 - 2011**

**Rob Quick** B.A. (Hons), Dip T.P., M.R.T.P.I.

Director of Environmental and  
Economic Regeneration

**Rob Thomas** B.Sc (Hons), M.Sc., M.R.T.P.I.

Head of Planning and Transportation



developments and the use of management plans and agreements to ensure the maintenance and improvement of sites.

### Landscape Features

#### **POLICY ENV 11 - PROTECTION OF LANDSCAPE FEATURES**

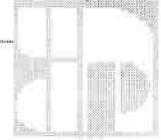
**DEVELOPMENT WILL BE PERMITTED IF IT DOES NOT UNACCEPTABLY AFFECT FEATURES OF IMPORTANCE TO LANDSCAPE OR NATURE CONSERVATION INCLUDING: TREES, WOODLAND, HEDGEROWS, RIVER CORRIDORS, PONDS, STONE WALLS AND SPECIES RICH GRASSLANDS.**

- 3.4.39** The character of the Vale of Glamorgan is heavily reliant upon the retention of features within it. Most notably trees, woodlands, hedgerows, river corridors, ponds, stone walls, species rich grasslands, traditional orchards, parkland trees and wetlands all contribute to its unique character, as well as providing resources for recreation and wildlife habitats, corridors or networks. The fragile nature of these features means that once lost they are rarely replaced, and the loss of just one or two individual features can have a considerable effect on the appearance and wildlife value of a locality. In support of this policy the Environment Agency has adopted a policy of resisting the culverting of watercourses unless to facilitate access crossings only. Culverting of a watercourse will be subject to land drainage consent issued by the Agency.
- 3.4.40** Hedgerows have come under particular threat in recent years with changes in farming practices resulting in larger fields and the destruction of many miles of hedgerow. New regulations for the protection of hedgerows were introduced in June 1997. These regulations make it illegal to remove most countryside hedgerows without permission, and set out certain criteria for classifying hedgerows as "important." They do not apply to domestic hedgerows, and are currently under review.

#### **POLICY ENV 12 - WOODLAND MANAGEMENT**

**THE IMPROVEMENT, MANAGEMENT AND EXTENSION OF WOODLAND, TREE COVER AND HEDGEROWS, PARTICULARLY OF BROADLEAF NATIVE SPECIES, WILL BE FAVOURED, ESPECIALLY WHERE IT:**

- (i) MAKES A SIGNIFICANT IMPROVEMENT TO THE LANDSCAPE SUCH AS ON DERELICT LAND, THE URBAN FRINGE, OR IN THE VICINITY OF MAJOR ROAD/RAIL CORRIDORS AND QUARRIES; OR**
- (ii) IT HELPS TO DIVERSIFY AND EXTEND WILDLIFE HABITATS; OR**
- (iii) IT ADDS TO RECREATIONAL AND EDUCATIONAL OPPORTUNITIES.**



## Built Environment

### TOWNSCAPES

- 3.4.52** The Vale of Glamorgan possesses varied and important townscapes, which provide the basis on which conservation policy is formulated and around which a programme of environmental enhancements can be implemented.

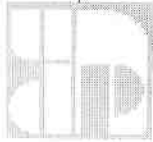
### Barry

- 3.4.53** Barry is a maritime industrial town, which saw its major growth around the turn of the century when the Docks were built. Its old core still focuses on the Dock area and town centre commercial core. 20th Century development has largely taken place on the periphery of the town.
- 3.4.54** The older areas of Barry are characterised by a range of attractive residential terraces, distinctly Victorian and Edwardian in character and incorporating significant changes in building levels due to the hillside setting of much of the town. Many of these terraces provide dramatic views of the Dockland area, Barry Island and the Bristol Channel. Unfortunately, infill development in the older areas of the town has not always complemented the scale and style of the original built up areas.
- 3.4.55** The public and commercial elements of the built environment in Barry do not make as large a contribution to the townscape as is normally the case in British towns. Barry's most impressive Victorian building, the Docks Board Office is isolated from the rest of the town by the railway line, which separates the town from the Dock.
- 3.4.56** Holton Road, King Square and High Street still retain a significant number of their original Victorian/Edwardian facades, and the imposing Town Hall façade is intended to be retained in a major commercial redevelopment scheme.



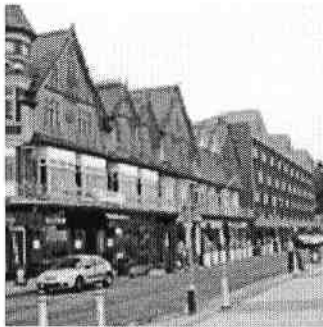
### Penarth

- 3.4.57** Penarth differs from Barry in that the development of the Dock and the associated terraced housing was not the dominant factor in the creation of the present day townscape. More important was the suburbanisation of Penarth by the 19th Century middle classes who valued the attractive coastal setting of the town and recognised the commercial advantages of its proximity to Cardiff. The northern



section of Penarth is not unlike the traditional core of Barry in that it is characterised by Victorian terraces situated between the Dock and the commercial centre. Many of the properties front directly on the street giving the area an essentially urban character.

- 3.4.58** The areas south and west of the town centre feature wide tree lined roads of large detached or semi detached housing representative of Penarth's Victorian prosperity. During this period, Penarth also enjoyed a degree of popularity as a holiday resort, evidence of which remains in the form of the Pier, Esplanade, Alexandra Park, Cliff Walk and the Italian Gardens.



*The Esplanade, Penarth*



*Alexandra Park, Penarth*



*Italian Gardens, Penarth*

- 3.4.59** 20th Century development has seen the reinforcement of Penarth's suburban townscape through the substantial private and local authority housing development mainly in south and west Penarth.

### **Cowbridge**

- 3.4.60** Cowbridge, unlike Barry and Penarth, was established as a substantial settlement prior to the industrial revolution. Indeed the origins of the settlement date back as early as the 1st Century, which makes Cowbridge one of the earliest settlements in the Vale of Glamorgan.
- 3.4.61** During the 17th and 18th centuries Cowbridge became the principal market town for the area. The prosperity during this period led to the construction of a number of fine buildings in the Eastgate/High Street/Westgate area. Many of these buildings still remain and make a significant contribution to the character of the historic commercial core of the town.
- 3.4.62** The historic core of Cowbridge is characterised by a traditional mix of residential, commercial and retail uses in the centre. Whilst the traditional pattern of mixed land uses have undergone considerable change during this Century, with many services now occupying ground floor units and the under occupation of upper floors, the essential historic character of Cowbridge still remains.
- 3.4.63** The development of Cowbridge directly relates to the burgage plot pattern of the medieval settlement. The settlement is therefore linear in character dominated by the High Street with the focal point being the Town Hall. The medieval Town Walls are still evident in places and encircle the core of the town. The walls enfold the important group of buildings facing Church Street: the Church, Cowbridge Old Grammar School and the South Gate; an ancient monument. This differentiates





Cowbridge from Llantwit Major as the scale and form of High Street gives a distinctly urban character to Cowbridge despite it being only a third of the population of Llantwit Major. The Cowbridge Walled Town Study commissioned by the Council in 1995 identifies the town centre's special qualities and sets out proposals for their enhancement. The findings of the study will inform the preparation of the Cowbridge and Llanblethian Conservation Area Appraisal.

- 3.4.64** As is often the case in small towns and villages the problem of traffic congestion is substantial although the majority of through traffic has been diverted with the construction of the bypass.

#### **Llantwit Major**

- 3.4.65** Evidence suggests that a settlement has existed in the Llantwit Major vicinity since the Iron Age and this ancient heritage has had a significant influence on the present day townscape.
- 3.4.66** Llantwit Major is notable for its medieval street pattern, for its unspoilt countryside setting (particularly to the south and west) for the fields within the town along the Ogney Brook, and for the numerous buildings of architectural and historic interest. Unlike Cowbridge, the historic core of Llantwit Major has the feel of a rural village.

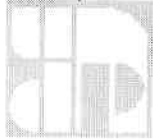
#### **Villages**

- 3.4.67** There are a number of villages in the Rural Vale of early medieval origins, many of which formed the basis of original agricultural communities. Although the character of some of these villages has been effected by insensitive infilling they nevertheless form the largest components of the Vale of Glamorgan's Conservation Areas.

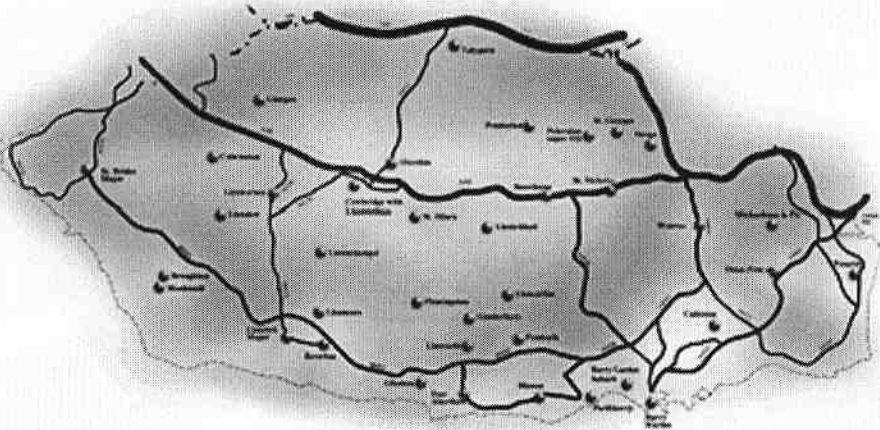


#### **Conservation**

- 3.4.68** All Local Planning Authorities are obliged to determine areas worthy of preservation due to their special architectural or historic interest and which are then designated as Conservation Areas.
- 3.4.69** The wealth of architectural heritage in the Vale of Glamorgan is demonstrated by the high number of Conservation Areas. In total, there are currently 38 designated



areas within the Vale ranging from the largest, Penarth - which encompasses an extensive built up area - to St. Georges-Super-Ely containing only a handful of buildings.



Map of the Vale showing all of the Conservation Areas

**3.4.70** The purpose of designating Conservation Areas is to afford protection to the combination of features which give an area its special character and attraction. These features may include urban and village patterns, individual and groups of buildings, attractive open spaces, historical artefacts, landscapes and trees. Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that every Local Authority shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Welsh Office Circular 61/96 sets out some broad criteria for the assessment of areas worthy of designation. These can justify and inform the review and assessment of existing Conservation Areas and justify the designation of new ones. The following criteria will be applied in the assessment of whether an area is of special interest:

- The identification of distinctive and well-preserved buildings of historic and/or architectural merit.
- The identification of secondary buildings which contribute to the distinctive quality and identity of the townscape. These buildings may, by virtue of their materials, design or relationship with other buildings, form an important background to buildings of historic and/or architectural merit.
- The identification of the distinctive urban / rural quality which embodies the special character of the area.
- A combination of landscape setting and features; scale and relationship of buildings and the spaces around them; architectural detailing and materials; street furniture; use of enclosure; use of colour, rhythm and texture; legibility and hierarchy of public and private spaces.



- The identification of landmark buildings and / or landscape features which contribute to townscape identity by providing focal points for views and vistas in and out of the area.
- The identification of landscape features which form part an integral part of either the setting or interior of the area. These can include important trees, hedgerows, village greens, parkland, gardens or a network of private and public open spaces.

**3.4.71** There are a range of special controls, which afford Conservation Areas additional protection over and above normal planning control:

- *A building within a Conservation Area may not be demolished without first obtaining Conservation Area Consent. Churches in ecclesiastic use are exempt.*
- *Minor forms of development which are normally "permitted" without planning permission may be subject to a Local Authority direction requiring Conservation Area Consent to be obtained prior to works being undertaken.*
- *Trees within Conservation Areas may not be felled, lopped, topped or uprooted without giving six weeks prior notice to the Local Planning Authority.*

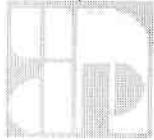
**3.4.72** A further four areas will be investigated to establish how far the criteria set out above merit their designation as Conservation Areas. These are:

- St Andrews Major
- St Donats
- Penllyn
- High Street, Barry

#### **POLICY ENV 17 - PROTECTION OF BUILT AND HISTORIC ENVIRONMENT**

**THE ENVIRONMENTAL QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT WILL BE PROTECTED. DEVELOPMENT WHICH HAS A DETRIMENTAL EFFECT ON THE SPECIAL CHARACTER APPEARANCE OR SETTING OF:**

- (i) A BUILDING OR GROUP OF BUILDINGS, STRUCTURE OR SITE OF ARCHITECTURAL OR HISTORIC INTEREST, INCLUDING LISTED BUILDINGS AND CONSERVATION AREAS;**
- (ii) SCHEDULED ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL AND/OR HISTORIC INTEREST;**
- (iii) DESIGNED LANDSCAPES, PARKS OR GARDENS OF HISTORIC, CULTURAL OR AESTHETIC IMPORTANCE WILL NOT BE PERMITTED.**



**3.4.73** Planning Policy Wales 2002 defines the historic environment as encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes all of which should be protected and enhanced. The Vale of Glamorgan has a wealth of significant architectural and townscape features, well demonstrated by the many designations previously described. CCW and Cadw, in partnership with the International Council on Monuments and Sites (ICOMOS), have produced the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. Two areas within the Vale of Glamorgan have been identified as Landscapes of Outstanding Historic Interest, whilst 18 sites are included within the Register of Historic Parks and Gardens in Wales. No statutory controls have followed from the inclusion of sites within the Register, but guidance is contained within the Welsh Office Circulars 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas and 1/98 - Planning and the Historic Environment: Directions by the Secretary of State for Wales.

**3.4.74** Policy ENV 17 seeks to ensure that this unique built and historic environment of the Vale of Glamorgan is protected and enhanced. Development which is unsympathetic or out of character with the locality or features of acknowledged importance will not be permitted. Facilities to enhance and increase the public enjoyment of these historic environments will be encouraged provided that the facilities do not conflict with their conservation.

#### **Archaeological Sites**

**3.4.75** The ancient history of human settlements in the Vale of Glamorgan gives the area considerable archaeological interest. The increasing number of Bronze Age, Romano-British and Medieval finds add to the knowledge of these periods and the historical significance of the area. It is important that the potential insight into local history, which the study of areas of archaeological interest can provide, is not unnecessarily lost by modern interference.

**3.4.76** Planning Policy Wales 2002 requires that Plans contain policies for the protection, enhancement and preservation of sites of archaeological interest and of their setting. It is envisaged that these policies will perform an important function in establishing a framework within which development proposals which affect archaeological remains can be assessed thus aiding developers in the preparation of planning applications and Local Authorities in the decision making process.

#### **POLICY ENV 18 - ARCHAEOLOGICAL FIELD EVALUATION**

**WHERE DEVELOPMENT IS LIKELY TO AFFECT A KNOWN OR SUSPECTED SITE OF ARCHAEOLOGICAL SIGNIFICANCE, AN ARCHAEOLOGICAL EVALUATION SHOULD BE CARRIED OUT AT THE EARLIEST OPPORTUNITY AND MAY BE REQUIRED BEFORE THE PROPOSAL IS DETERMINED. DETAILED PLANS WOULD NEED TO REFLECT THE CONCLUSIONS OF THE EVALUATION.**

The Vale of Glamorgan Adopted Unitary Development Plan 1996-2011

Errata Sheet

<u>Page Number</u>	<u>Amendment</u>
69	<p>Policy ENV 17 – Protection of Built and Historic Environment should read:</p> <p><b>THE ENVIRONMENTAL QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT WILL BE PROTECTED. DEVELOPMENT WHICH HAS A DETRIMENTAL EFFECT ON THE SPECIAL CHARACTER APPEARANCE OR SETTING OF:</b></p> <ul style="list-style-type: none"><li><b>(i) A BUILDING OR GROUP OF BUILDINGS, STRUCTURE OR SITE OF ARCHITECTURAL OR HISTORIC INTEREST, INCLUDING LISTED BUILDINGS AND CONSERVATION AREAS;</b></li><li><b>(ii) SCHEDULED ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL AND / OR HISTORIC INTEREST;</b></li><li><b>(iii) DESIGNED LANDSCAPES, PARKS OR GARDENS OF HISTORIC, CULTURAL OR AESTHETIC IMPORTANCE</b></li></ul> <p><b>WILL NOT BE PERMITTED.</b></p>



## **POLICY ENV 20 - DEVELOPMENT IN CONSERVATION AREAS**

**PROPOSALS FOR NEW DEVELOPMENT OR ALTERATIONS TO BUILDINGS OR FEATURES WITHIN CONSERVATION AREAS WILL BE PERMITTED WHERE THEY PRESERVE OR ENHANCE THE CHARACTER OF THE CONSERVATION AREA. SUCH PROPOSALS WILL NEED TO REFLECT:**

- (i) THE SCALE, DESIGN, LAYOUT, CHARACTER, MATERIALS AND SETTING OF THOSE BUILDINGS WHICH ESTABLISH THE CHARACTER OF THE AREA;**
- (ii) THE PATTERNS OF USE WHICH ESTABLISH THE CHARACTER OF THE AREA;**
- (iii) IMPORTANT OPEN SPACE WITHIN AND ADJOINING CONSERVATION AREAS;**
- (iv) IMPORTANT TREES AND HEDGEROWS; AND**
- (v) PONDS AND STREAMS.**

- 3.4.78** It is the intention of this policy to provide a framework to preserve and enhance the character of the existing Conservation Areas. A list of Conservation Areas in the Vale of Glamorgan is attached as Appendix 3.
- 3.4.79** Applications for planning permission within Conservation Areas should be supported by full detailed drawings and where appropriate fully detailed landscaping proposals. Architectural detail within Conservation Areas is very important. It can often mean the difference between a visually acceptable addition to the street scene and an inappropriate form of development, which significantly detracts from the character of the area.
- 3.4.80** The setting of new development within Conservation Areas is often as important as the detail of the building itself. Boundary walls, open space and natural vegetation all contribute to the special character of the area. Treatment of these features will be a material consideration in the determination of applications.
- 3.4.81** Open areas may be essential to the character and appearance of Conservation Areas and may be a principal reason for their designation. The landscape adjoining Conservation Areas and spaces between buildings form the context for Conservation Areas and complement the quality of the built environment. The loss of these areas may be severely detrimental to many of the Conservation Areas. The Council will undertake Conservation Area Appraisals to identify those aspects and features of importance to the character of a Conservation Area. These will be published as Supplementary Planning Guidance, including guidance relating to Barry Garden Suburb, Penarth, Cowbridge with Llanblethian, and Conservation Areas in the Rural Vale.
- 3.4.82** Early discussions with the Council will establish what details are required for any given application and also any policy objections to the proposal.



contamination/instability and indicate appropriate remedial measures. Planning permission may not be granted unless the Council is satisfied that instability and contamination may be overcome safely and without undue impact upon the environment.

#### **POLICY ENV 27 - DESIGN OF NEW DEVELOPMENTS**

**PROPOSALS FOR NEW DEVELOPMENT MUST HAVE FULL REGARD TO THE CONTEXT OF THE LOCAL NATURAL AND BUILT ENVIRONMENT AND ITS SPECIAL FEATURES. NEW DEVELOPMENT WILL BE PERMITTED WHERE IT:**

- (i) COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;**
- (ii) MEETS THE COUNCIL'S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;**
- (iii) ENSURES ADEQUACY OR AVAILABILITY OF UTILITY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;**
- (iv) MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;**
- (v) ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;**
- (vi) ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;**
- (vii) PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;**
- (viii) HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND**
- (ix) HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.**

**3.4.97** This policy establishes a framework to achieve appropriate sensitive new development that promotes creative and imaginative design within the Vale of Glamorgan. In view of the wide variety of architectural styles and contrasting identities of the Vale's towns, villages and open countryside, it would be inappropriate to introduce rigid, over prescriptive design controls for new development within the Plan. However, to further promote the above good design principles and provide better advice to architects and their clients the Council will prepare guidance and design briefs for specific topics or sites. Similarly advice on plant species in landscaping schemes can help meet the criteria set out above. In many circumstances the use of native provenance tree and shrub species in landscaping schemes can provide benefits for bio-diversity as well. Volume Two of



"Landscapes Working for the Vale of Glamorgan" study provides some guidance on this point. Supplementary Planning Guidance has been produced in respect of amenity standards.

#### **POLICY ENV 28 - ACCESS FOR DISABLED PEOPLE**

**ALL NEW DEVELOPMENT (AND WHERE PREDICTABLE, THE CHANGE OF USE OR ALTERATIONS TO BUILDINGS) OPEN TO THE PUBLIC AND BUILDINGS USED FOR EMPLOYMENT AND EDUCATION PURPOSES WILL BE REQUIRED TO PROVIDE SUITABLE ACCESS FOR CUSTOMERS, VISITORS OR EMPLOYEES WITH MOBILITY DIFFICULTIES.**

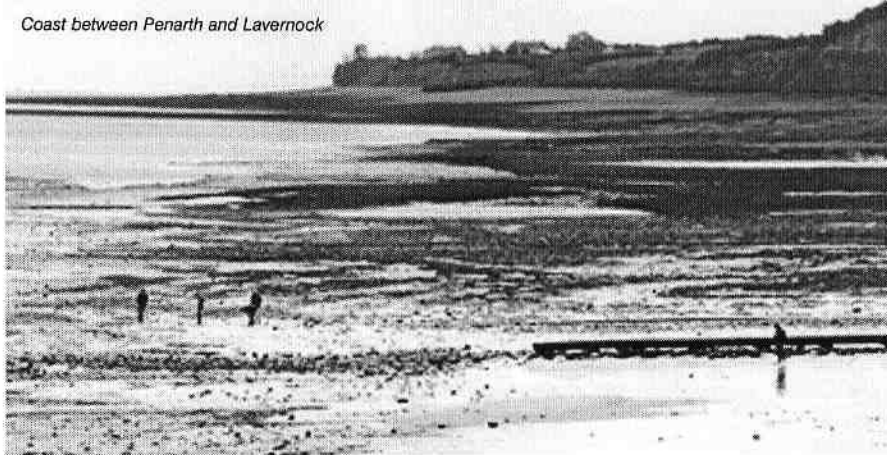
- 3.4.98** In an ideal world all people should be able to move freely around towns, cities and villages and feel welcome. However, in practice the design of buildings and spaces around those buildings can create insurmountable obstacles to people with limited mobility. In addition, unsympathetic design can make people with special mobility needs feel most unwelcome.
- 3.4.99** It is important to encourage those persons who design and manage the environment to give equal importance to access and the provision of facilities for people with limited mobility as they do to the appearance and functioning of buildings and spaces. By doing this the environment can be improved for everyone including people with disabilities, parents with small children and others with limited mobility. Many of the benefits can be achieved with no additional or minimal extra cost, simply by careful thought and imagination. Where additional money is required, most people would agree that the investment is worthwhile financially and socially.
- 3.4.100** The statutory framework with regard to the provision of access and facilities for persons with disabilities is embodied in Section 76 of the Town and Country Planning Act 1990 which requires Local Planning Authorities when granting planning permission to draw the attention of the applicant to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970. The Act requires developers of specified types of building to provide suitable means of access, parking and toilet facilities to meet the needs of people with disabilities, where practicable and reasonable. The types of building to which the Act applies are buildings open to the public (for example shops, restaurants, hotels, places of entertainment, leisure and community buildings), places of employment, education buildings and most types of buildings other than residential ones.
- 3.4.101** The "Codes of Practice for Access for the Disabled to Buildings", British Standard Institution code of practice BS 5810: 1979 sets out the minimum standards with which access provision should comply. However, the BSI are currently reviewing these standards in the light of developments in access design in the last 15 years. Developers will therefore be encouraged to design to higher standards than presently stated in BS 5810.
- 3.4.102** In the case of new building development the requirements of Part M of the Building Regulations 1992 will apply. There will be very few instances where it is neither





of Conservation (which includes the coast between Penarth and Lavernock Point) will be protected in accordance with Policy ENV 13.

*Coast between Penarth and Lavernock*



#### **POLICY ENV 7 - WATER RESOURCES**

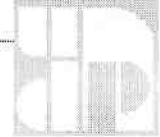
**RIVER, OTHER INLAND WATERS AND UNDERGROUND WATER RESOURCES WILL BE SAFEGUARDED. DEVELOPMENTS WHICH IMPROVE THE WATER ENVIRONMENT OR HELP TO PREVENT FLOODING WILL BE FAVOURED. DEVELOPMENT WILL BE PERMITTED WHERE IT WOULD NOT:**

- (i) HAVE AN UNACCEPTABLE EFFECT ON THE QUALITY OR QUANTITY OF WATER RESOURCES OR ON FISHERIES, NATURE OR HERITAGE CONSERVATION, RECREATION OR OTHER AMENITY INTERESTS RELATED TO SUCH WATERS;**

**OR**

- (ii) BE POTENTIALLY AT RISK FROM FLOODING, OR INCREASE THE RISK OF FLOODING LOCALLY OR ELSEWHERE TO AN UNACCEPTABLE LEVEL.**

- 3.4.24** Through its development control function the Council will maintain a close working relationship with the Environment Agency, in order to ensure that new developments do not adversely effect the water environment or water supply.
- 3.4.25** The water environment is important in providing water for domestic, agricultural and industrial purposes; serving as a channel for the dispersal of water; as an important wildlife habitat; and as a major source of recreation.
- 3.4.26** New developments can have a significant effect upon the quality of underground, surface and coastal water, for example in the discharge of heat, effluent and run off from buildings and hard surfaces. They can also affect the volume of water, either by abstraction or discharge, for example quarrying operations, which in turn can effect nature conservation, the concentration of chemicals and organic pollution and cause the capacity of the water course to be exceeded and result in flooding. Thus areas liable to flooding should not be developed unless acceptable protection measures can be implemented. Similarly development which would exacerbate flood risk elsewhere should not be permitted.



## **POLICY HOUS 2 - ADDITIONAL RESIDENTIAL DEVELOPMENT**

**HOUSING INFILL, SMALL-SCALE DEVELOPMENT AND REDEVELOPMENT WHICH MEETS THE CRITERIA LISTED IN POLICY HOUS 8 WILL BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES OF THE FOLLOWING:**

### **URBAN SETTLEMENTS OF:**

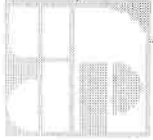
**BARRY  
COWBRIDGE WITH LLANBLETHIAN  
DINAS POWYS  
LLANDOUGH (PENARTH)  
LLANTWIT MAJOR  
PENARTH  
SULLY**

### **RURAL SETTLEMENTS OF:**

<b>ABERTHIN</b>	<b>LLANCARFAN</b>	<b>ST. NICHOLAS</b>
<b>BONVILSTON</b>	<b>LLANDOW</b>	<b>SIGINGSTONE</b>
<b>BROUGHTON</b>	<b>LLANMAES</b>	<b>SOUTHERNDOWN</b>
<b>COLWINSTON</b>	<b>LLYSWORNEY</b>	<b>TREOES</b>
<b>CORNTOWN</b>	<b>OGMORE BY SEA</b>	<b>TRERHYNGYLL</b>
<b>EAST ABERTHAW</b>	<b>PENLLYN</b>	<b>WENVOE</b>
<b>EGLWYS BREWIS</b>	<b>PETERSTON-SUPER-ELY</b>	<b>WICK</b>
<b>EWENNY</b>	<b>RHOOSE</b>	<b>YSTRADOWEN</b>
<b>GRAIG PENLLYN</b>	<b>ST. ATHAN</b>	
<b>LLANBETHERY</b>	<b>ST. BRIDES MAJOR</b>	

**FAVOURABLE CONSIDERATION WILL BE GIVEN, OTHER THAN WITHIN AREAS IDENTIFIED AS GREEN WEDGES, TO SMALL-SCALE DEVELOPMENT WHICH CONSTITUTES THE "ROUNDING OFF" OF THE EDGE OF SETTLEMENT BOUNDARIES WHERE IT CAN BE SHOWN TO BE CONSISTENT WITH THE PROVISIONS OF POLICY HOUS 8 AND PARTICULARLY CRITERION (i).**

- 4.4.61** The settlement boundaries for the villages contained in Policy HOUS 2 are illustrated on the Proposals Map.
- 4.4.62** In Policy HOUS 1 above, sufficient land is allocated for new residential development to meet the Vale's requirements to the year 2011. In order to prevent the spread of new development outside the confines of these existing communities, settlement boundaries have been drawn around the existing urban areas and around the rural villages of the Vale. The aim of this policy is to protect the rural areas around and between the existing settlements, to prevent urban sprawl and



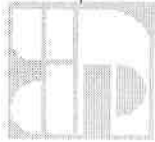
to avoid the fusion of adjoining settlements. Other countryside protection policies are contained within the Environment Chapter. Policies ENV 1 and ENV 3 are particularly relevant. In respect of appropriate housing development in the rural villages outlined in Policy HOUS 2, reference should be made to Policy HOUS 13 on Exception Sites for Affordable Housing in the Rural Vale.

- 4.4.63** The Council considers only those villages listed under Policy HOUS 2 to have sufficient physical form and capacity to assimilate further infill development without it having a detrimental impact on their existing character and environment. An infill plot is defined as a site enclosed or surrounded by existing development in the sense of the filling of a small gap within an otherwise built up frontage. All site boundaries should be existing man made or natural physical features. Arbitrary lines drawn for the convenience of plot size do not qualify as such. The fact that an infill site exists, however, does not mean this will automatically receive planning permission. Small scale rounding off, which for the purpose of this Plan is defined as development which constitutes no more than five dwellings, may also be permitted where the site lies within or immediately adjacent to the settlement boundary and conforms to a logical site boundary. All site boundaries should be existing man made or natural physical features. Arbitrary lines drawn for the convenience of plot size do not qualify as such. Each proposal, if accepted as infilling or rounding off will be assessed against the policy criteria and will need to be considered in the context of the relationship to areas of attractive landscape, high quality townscape and areas of historical, archaeological or ecological importance. (See also HOUS 13 on Exception Sites for Affordable Housing in the Rural Vale).

### **POLICY HOUS 3 - DWELLINGS IN THE COUNTRYSIDE**

**SUBJECT TO THE PROVISIONS OF POLICY HOUS 2 THE ERECTION OF NEW DWELLINGS IN THE COUNTRYSIDE WILL BE RESTRICTED TO THOSE THAT CAN BE JUSTIFIED IN THE INTERESTS OF AGRICULTURE AND FORESTRY.**

- 4.4.64** If the countryside is to remain undeveloped and its attractive appearance protected, new residential development outside those rural settlements referred to in Policy HOUS 2 must be strictly controlled. (See also Policy ENV 1).
- 4.4.65** New housing outside villages and towns often creates unacceptable intrusions into the rural landscape. New dwellings in the countryside can also place an unacceptable burden on local services.
- 4.4.66** Those rural villages not identified in Policy HOUS 2 are considered not to have sufficient physical form or capacity to assimilate new residential development without having a detrimental impact on their existing character and environment. Additional residential development in certain villages will not be permitted in order to protect their character and appearance. Consequently these have been excluded from Policy HOUS 2. Furthermore, the many groups of scattered and loose knit buildings in the Rural Vale cannot be regarded as settlements under the terms of Policy HOUS 2. These are little more than pockets of dwellings and farmsteads lying in isolation in the countryside. Additional dwellings would be



- 4.4.75** The exterior design, materials, and scale of the new dwelling shall have due regard to its own location as well as any neighbouring developments. Proposals for replacement dwellings will only be permitted where it can be demonstrated that the development will be of a scale and character compatible with its local environment.
- 4.4.76** Extensions to dwellings in the countryside can also appear incongruous and these will be strictly controlled in terms of their scale, design and appearance to reflect their rural location.
- 4.4.77** Where planning permission has been granted for the replacement, or extension of an existing dwelling in the countryside, planning conditions may be imposed restricting permitted development rights in respect of additional extensions and alterations. This is intended to prevent the subsequent erosion of the rural character of the countryside.

#### **POLICY HOUS 8 - RESIDENTIAL DEVELOPMENT CRITERIA - POLICY HOUS 2 SETTLEMENTS**

**SUBJECT TO THE PROVISIONS OF POLICY HOUS 2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:**

- (i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;**
- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;**
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;**
- (iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;**
- (v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;**
- (vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.**



**4.4.78** The aim of this policy is to stop inappropriate development within urban areas and town cramming. For the purpose of this policy town cramming is defined as insensitive infilling or development which through its cumulative effects will damage the character or amenity of an area. Infill/rounding off development may be permitted in accordance with Policy HOUS 2 subject to compliance with the above criteria. Proposals which result in over development of existing residential areas and/or loss of open space which provide an important setting for towns or villages or has public amenity nature conservation or recreational value will be resisted. The Council's requirements for the provision of open space are set out in Policy REC 3.

#### **POLICY HOUS 9 - CONVERSION OF LARGE DWELLINGS**

**THE CONVERSION OF LARGE DWELLINGS INTO SMALL SELF-CONTAINED DWELLING UNITS WILL BE PERMITTED IF:**

- (i) THE SCALE AND FORM OF THE PROPOSED DEVELOPMENT IS IN KEEPING WITH SURROUNDING USES;**
- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION; AND**
- (iii) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES.**

**4.4.79** Particularly within the larger settlements there are a number of large older houses which may no longer be appropriate for today's needs. This policy favours the renovation of the existing house stock, subject to certain criteria, thereby helping to reduce the level of under-occupation of dwellings.

The Vale of Glamorgan Adopted Unitary Development Plan 1996-2011

Errata Sheet

Page Number      Amendment

106

Policy HOUS 8 – Residential Development Criteria – Policy HOUS 2 settlements should read:

**SUBJECT TO THE PROVISIONS OF POLICY HOUS 2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:**

- (i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;
- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (iii) THE PROPOSAL DOES NOT HAVE AN UNNACCPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;
- (v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.

*Supplementary Planning Guidance*

# ***AMENITY STANDARDS***



*The Vale of Glamorgan  
Adopted Unitary Development Plan  
1996 - 2011*

VALE of GLAMORGAN



BRO MORGANNWG



*The Vale of Glamorgan UDP  
Supplementary Planning Guidance*

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# ***AMENITY STANDARDS***



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**2.** *The Vale of Glamorgan UDP Supplementary Planning Guidance  
Amenity Standards*



# **AMENITY STANDARDS**

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**4.** *The Vale of Glamorgan UDP Supplementary Planning Guidance  
Amenity Standards*



# **AMENITY STANDARDS**

## **1. BACKGROUND**

1.1 This Supplementary Planning Guidance (SPG) has been prepared in the context of Planning Policy Wales (2002) as additional information for the Vale of Glamorgan Unitary Development Plan.

1.2 The purpose of this guidance is to explain the Council's amenity standards for residential development in a clear, concise and easily interpreted manner. In doing so, it is hoped that anyone involved in residential development, whether they be a professional developer or a member of the public, will be able to understand what standards are required of their proposed developments. For the purposes of this document residential development is defined as the construction of new dwellinghouses and blocks of flats, the conversion of existing buildings into residential properties and the extension of existing dwellinghouses within the residential curtilage.

1.3 The provision of residential amenity standards can have a significant impact on the quality of developments constructed and the living environment created. The amenity standards contained within the Guidance Note are intended to ensure that new residential development within the Vale of Glamorgan contributes towards a better environment and quality of life for residents, without adversely affecting the amenity enjoyed by residents. Amenity in this instance may be considered to be the pleasantness and agreeability of living environment.

## **2. STATUS OF THE GUIDANCE**

2.1 This guidance was approved for development control purposes by the Council on 6th January, 1999 (Minute No. 995 refers). This document has subsequently been updated in light of Planning Policy Wales (2002). This Guidance will be used as a material consideration in determining planning applications and appeals.

## **3. NATIONAL GUIDANCE**

3.1 National Planning Guidance is contained within Planning Policy Wales (2002). This states:

*"9.3.3 Insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character and amenity. This includes any such impact on neighboring dwellings, such as serious loss of privacy or overshadowing.*

*9.3.4 In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an areas character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where densities are proposed the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential developments."*

3.2 In accordance with the above guidance, this Guidance Note has been prepared to supplement policies contained within the UDP. Applications for development will, therefore, be determined in the light of the guidance contained in this note and with due regard to all other material considerations.

## **4. SCOPE OF THE GUIDANCE**

**4.1** The UDP, through policies contained within the Environment and Housing Chapter seeks to ensure that all new development within existing residential areas provides an acceptable level of amenity and privacy and does not adversely affect the amenity of existing properties. This Guidance Note seeks to expand upon the guidance contained within the Plan and to provide clarification of the Council's requirements for new residential development in the Vale of Glamorgan.

**4.2** The standards contained within this Note are not intended to be prescriptive. The objective is to ensure that all new residential development is of an acceptable design and layout which respects the character and amenity of the area in which it is located.

**4.3** All planning applications for residential development will be considered in the light of these standards. Relaxation of these standards will be considered where it can be demonstrated that they are justified by the particular circumstances of the development. In particular consideration will be given to the relaxation of standards for developments such as Penarth Haven which seeks to bring derelict and / or degraded land and buildings back into beneficial use.

## **5. AMENITY STANDARDS AND POLICIES**

### **General Guidance**

**POLICY 1: PRIVACY AND VISUAL AMENITY MUST BE SECURED IN ANY PROPOSED DEVELOPMENT BY CAREFUL DESIGN OF BUILDINGS AND THE RELATIONSHIP BETWEEN BUILDINGS AND FEATURES SUCH AS TREES, HEDGES, PUBLIC SPACES, FOOTPATHS AND SCREEN WALLS AND FENCES.**

**5.1** It is essential that careful consideration is given to the layout and design of all residential developments and that all elements of the overall design are considered comprehensively within the context of site constraints and opportunities. Trees and hedges can provide an attractive form of screening. Screen walls and fences are features which with careful design can provide privacy, particularly along boundaries.

Changes in level, in particular by using the natural contours of the site, can be exploited to provide privacy as well as visual amenity. In formulating proposals for the layout of residential developments, careful consideration should be given to ensure that a balanced approach is taken to the design, which attempts to reconcile the visual qualities of a development with the need for crime prevention.

### **Amenity Space Within Residential Developments**

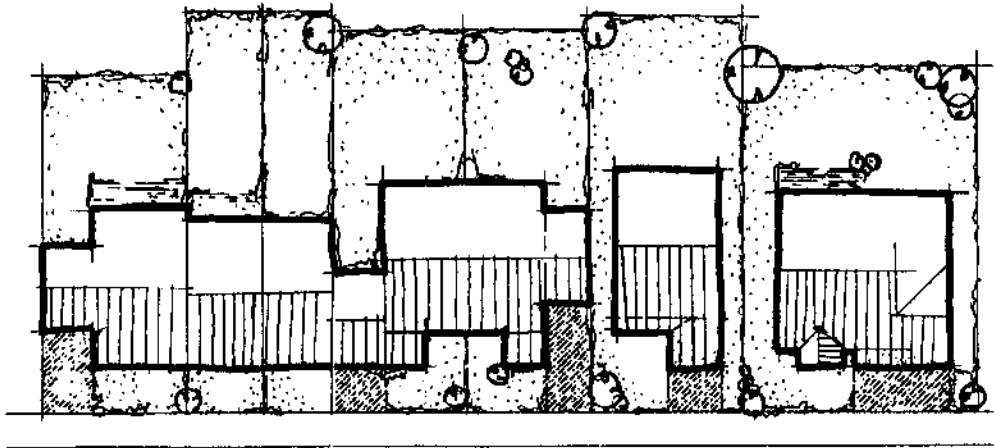
**POLICY 2: THE COUNCIL WILL ENSURE THAT USABLE, ADEQUATE AND APPROPRIATE PRIVATE AMENITY SPACE IS PROVIDED AS PART OF RESIDENTIAL DEVELOPMENT.**

**5.2** The amenity space provision within the curtilage of residential development is generally considered to constitute front garden areas, private rear garden areas and areas of enclosed communal space available to residents only. This definition excludes footpaths, driveways and parking areas located within the curtilage of developments. The provision of adequate and usable private amenity space within the curtilage of a development is extremely important to meet the requirements of residents for functional and relaxation space. Private rear garden areas are used for a number of purposes e.g. relaxation, entertainment, gardening and cultivation, washing and drying, D.I.Y., storage etc.

**5.3** In view of both the Government's and the Council's policy to encourage recycling and re-use of household waste material (including the composting of green and organic waste) adequate provision should be made for temporary storage within new residential developments. An accessible and suitably located area of sufficient size to store dustbins/wheelibins, re-cyclable material containers and a compost bin should be identified within private amenity spaces (recommended size of hard surfaced areas are three square metres per dwelling).

**5.4** The Council recognises that different types of residential accommodation may require different forms of private amenity space. Therefore, for the purposes of this guidance the Council will implement different standards for the provision of amenity space within the

**Illustration 1** : Examples of amenity space provision within the curtilage of a dwellinghouse, from L - R, a 3 bedroom terrace, a 2 bedroom terrace, 3 bedroom semi detached, 3 bedroom detached and 4 bedroom detached.



curtilage of dwelling houses and flatted developments.

**(i) Provision of Amenity Space for Dwelling houses**

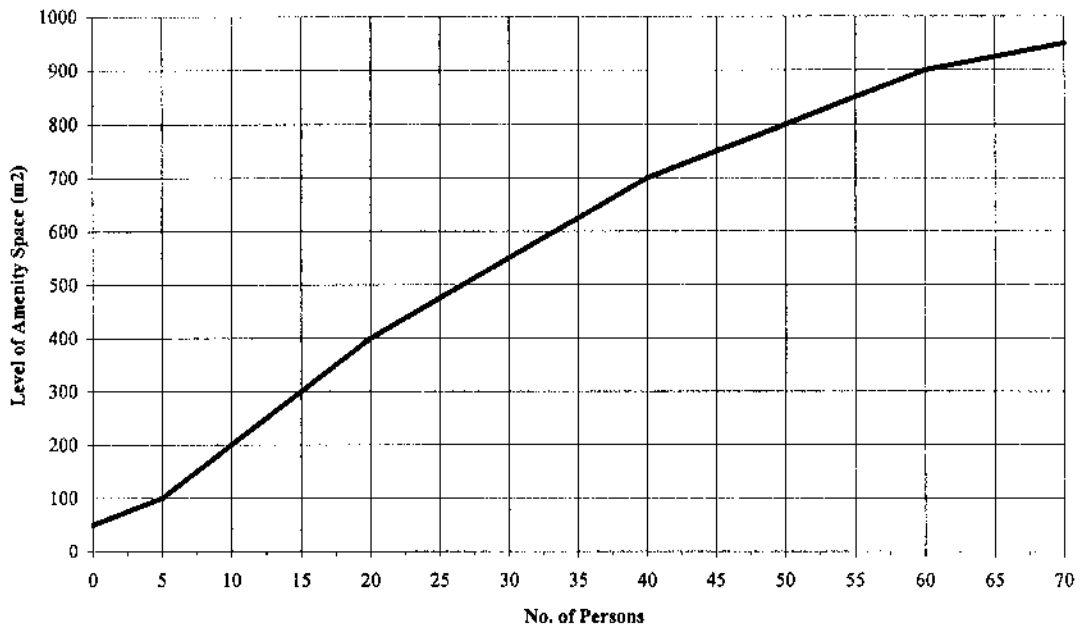
**5.5** In self contained housing developers should aim to provide a minimum of 1m<sup>2</sup> of amenity space per 1 m<sup>2</sup> of the gross floor area of the dwelling (inclusive of garage space). Generally 70% of the total amenity space provided should be accommodated in the private rear garden areas of the dwelling. Gardens should be of a usable shape, long thin gardens or ones with acute angles should be avoided. An essential requirement of all private gardens is a degree of

privacy. Developers should aim to provide visual privacy for at least part of the garden. Ideally this should be achieved through the orientation of buildings, the distance between them and the positioning of windows. Illustration 1 provides an indication of how these standards may be applied in practice.

**(ii) Provision of Amenity Space for Flatted Developments**

**5.6** The provision of individual areas of amenity space per residential unit created in flatted developments may in practice be inappropriate and unworkable. In these circumstances developers should provide private communal

**Table 1 : Amenity Space provision for Flatted Developments**



garden areas which are clearly defined, controlled and accessible to all occupants. Design of these areas should be carefully considered to ensure that all functional requirements of the residents, such as relaxation, clothes drying, refuse storage, etc. are located and designed in such a way as to avoid conflicts.

5.7 The size of any communal garden should relate to the number of people who have access to the space and are likely to use it. In flatted developments, developers should aim to provide a minimum of 20m<sup>2</sup> amenity space per person. The amount of space required will be calculated on the basis of maximum amount of people which can be accommodated. In practice, as Table 1 illustrates, this figure may be reduced as the number of residents intended to be accommodated within the development increases.

### Residential Privacy and Amenity

**POLICY 3: THE CONSTRUCTION OF NEW RESIDENTIAL DEVELOPMENT MUST RESPECT THE CHARACTER OF EXISTING RESIDENTIAL DEVELOPMENT, WHILST ENSURING THAT THE PRIVACY AND AMENITY OF SURROUNDING PROPERTIES ARE SAFEGUARDED.**

5.8 A sense of privacy within a residential property, coupled with freedom from overlooking in private garden areas are fundamental to the enjoyment of residential properties. Crucial to the issue of privacy and amenity is the manner in which new development is incorporated into existing residential areas. Developers should aim to ensure that new development is designed to minimise its impact upon both the amenities of surrounding properties and the streetscene. New development should be designed to respect the form of existing housing. Consideration should be given to issues such as density, garden size and the orientation and siting of buildings.

Illustration 2 : New Development which fails to consider the urban context

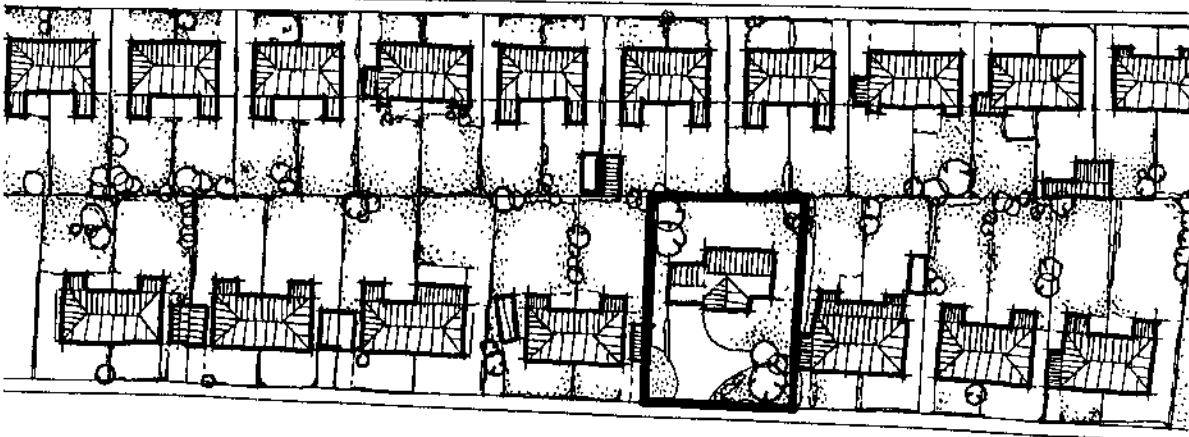
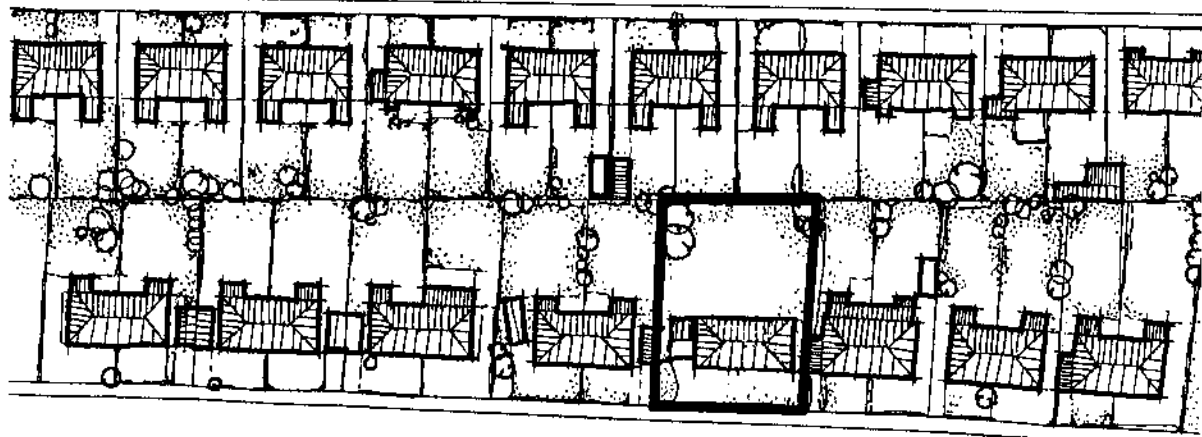


Illustration 3 : New Development which respects its urban context



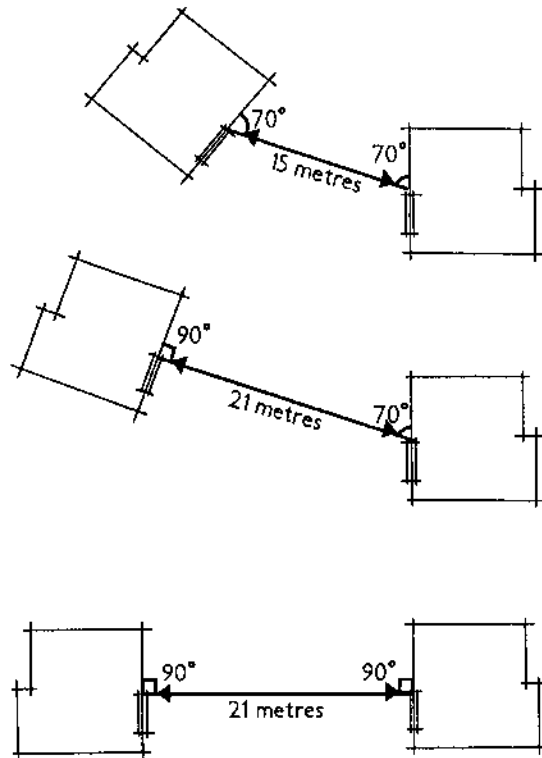
Developers should aim to avoid siting new dwellings close to existing residential boundaries.

**5.9** The positioning of windows, roof terraces and balconies which look directly or have the appearance of looking directly into habitable rooms of surrounding properties or allow clear views of private rear garden areas are not acceptable. Developers should ensure that the design of new residential developments respects the privacy of surrounding properties. In order to achieve this objective the Council encourages developers to consider the use of alternative types of fenestration such as roof lights, high level windows and obscure glazing.

**POLICY 4: A MINIMUM DISTANCE OF 21 METRES (70 FEET) MUST BE PROVIDED BETWEEN OPPOSING PRINCIPAL WINDOWS OF DWELLINGS.**

**5.10** The distance of 21metres is in the opinion of the Council the minimum distance necessary between opposing principal windows to ensure residential privacy. A principal window is for the purposes of this Guidance Note defined as the main window, or secondary window of more than one metre in width, in a living room, dining room, bedroom or kitchen. In practice the minimum distance required between principal opposing windows may be reduced depending upon the angle of view. Table 2 provides an indication of the extent to which distances may be reduced. As Diagram 2 demonstrates, the reduction of distance between principles windows is dependant upon the horizontal angle included between the shortest line joining any part of the principle window.

**Diagram 2 : Distance between Opposing Principal Windows (metres)**



**5.11** Many new developments located within existing residential areas are dependent upon the large garden curtilages of existing dwellings to accommodate the necessary distance. This practice is unacceptable and developers should aim to ensure that new dwelling houses have a minimum rear garden length of 10 metres.

**Table 2 : Distance between Opposing Principal Windows of Dwellings (metres)**

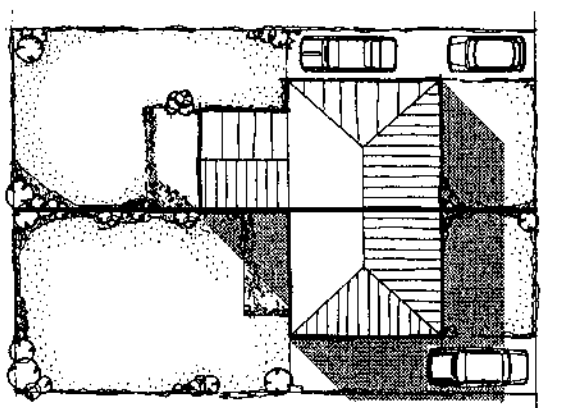
Degrees	90	80	70	60	50	40	30	20	10	0
90	21	21	21	21	15	12	8	6	4	2
80	21	21	21	15	12	8	6	4	2	
70	21	21	15	12	8	6	4	2		
60	21	15	12	8	6	4	2			
50	15	12	8	6	4	2				
40	12	8	6	4	2					
30	8	6	4	2						
20	6	4	2							
10	4	2								
0	2									



**POLICY 5: THE CONSTRUCTION OF RESIDENTIAL DEVELOPMENT SHOULD NOT RESULT IN AN UNACCEPTABLE LOSS OF DAYLIGHT OR SUNLIGHT TO NEIGHBOURING PROPERTIES**

5.12 The siting of two or more storey developments within close proximity of an existing residential boundary can result in an unreasonable loss of daylight and sunlight to neighbouring properties. As a result these properties and their gardens can be made gloomy and unattractive resulting in an unacceptable reduction in the quality of life of the residents. Developers should aim to ensure that development proposals do not by virtue of their scale or location result in an unacceptable loss of daylight and/or sunlight to habitable rooms or private garden areas of neighbouring properties. In order to overcome the problems of overshadowing, consideration should be given to siting the development away from neighbouring boundaries (see paragraph 5.12 above), stepping back the upper storeys of the building and the use of shallow pitched rooflines.

**Illustration 4** : shows the impact a poorly designed extension can have on private garden area of the adjacent property



**POLICY 6: PROPOSALS FOR NEW RESIDENTIAL DEVELOPMENT SHOULD CONTAIN APPROPRIATE LANDSCAPING AND HAVE REGARD TO EXISTING LANDSCAPE FEATURES.**

5.13 In order to mitigate the impact of new development upon the existing urban fabric consideration should be given to the use of appropriate landscaping and means of enclosure.

Successful landscaping schemes rely on the sensitive and imaginative co-ordination of natural features such as vegetation, landform and water, together with paving, walls, lighting and street furniture. Developers should assess existing landscape features and seek to retain those of environmental and ecological value. Consideration should be given to the incorporation of existing mature trees and hedgerows into residential development and their protection during works. Guidance on this matter is contained within the Council's Supplementary Guidance Note relating to Trees and Development.

5.14 The erection of appropriate means of enclosure such as walls and fencing may also assist in mitigating the impact of new development upon existing properties. Careful consideration should be given to the siting and design of all means of enclosure to ensure that they respect the character of the area and do not unacceptably affect the amenity of surrounding properties.



An example of an attractively landscaped development

## 6. FURTHER INFORMATION

6.1 Further information and general advice on the submission of planning applications for residential development can be obtained from:-

Development Control Group,  
Directorate of Economic Development,  
Planning, Transportation & Highways,  
Vale of Glamorgan Council,  
Dock Office, Barry Dock,  
Barry, CF63 4RT.  
Telephone (01446) 704600



The Vale of Glamorgan Council  
Directorate of Environmental & Economic Regeneration,  
Dock Office, Barry Dock, Barry. CF63 4RT.

[www.valeofglamorgan.gov.uk](http://www.valeofglamorgan.gov.uk)