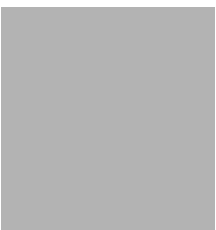


QUESTIONNAIRE



To be used for all Planning, Listed Building Consent or Conservation Area Consent Appeals

This questionnaire can also be submitted on the Planning Portal via each individual appeal

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, within 2 weeks of the 'starting date' given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

Case Details

Appeal ref:		
Appeal by:		
Appeal Site:		
Grid Ref:	E: <input type="text"/>	N: <input type="text"/>

All Questions must be answered	YES	NO
---------------------------------------	------------	-----------

1 Does the Council agree to the written representations procedure?

Note: if the written procedure is agreed, the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

OR Do the Authority wish to appear before and be heard by an Inspector at:

- a. a local inquiry?
- b. a hearing?

2 a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? If YES, please explain:

b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? NB: *An Access Required Site Visit (ARSV) will be arranged unless reasons are provided to show that a full Accompanied Site Visit (ASV) is required. If yes, please explain:*

c. Are there any known health and safety issues that would affect the conduct of the site inspection? If YES, please describe:

3 Please provide the name, telephone number and e-mail address of the officer we can contact to make arrangements for the site visit, hearing or inquiry:

Name	<input type="text"/>	Phone no.	<input type="text"/>
E-mail	<input type="text"/>		

4 Does the appeal relate to an application for approval of reserved matters?

5 Was a DMPO 2012 Article 11 (Regulation 7 for listed building or conservation area consent) certificate submitted with the application?

6 Did you give publicity to the application in accordance with Article 12 of the DMPO (Wales) 2012, Section 67/73 of the planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 10 of The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012? If YES, please send a copy of the notice published and any representations received as a result of that notice

7 Is the appeal site within :

a. a green belt?

If YES, please specify which

b. An Area of Outstanding natural beauty?

If YES, please specify which

8 Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES please attach details

9 a. Are there any other appeals or matters relating to the same site or neighbourhood still before the Welsh Government? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.

b. Are there any other appeals or matters adjacent or close to the site still being considered by the Welsh Government? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.

10 Would the development require the stopping up or diverting of a public right of way? Please attach an extract from the definitive Map and Statement for the area and any other details

11 a. Is the site in a Conservation Area? If YES, Please attach a plan of the Conservation Area

b. Does the appeal relate to an application for conservation area consent?

12 a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?

Date of Listing Grade I Grade II* Grade II

b. Would the proposed development affect the setting of a listed building?

13 Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

14 a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

b. Was CADW consulted? Please send a copy of any comments.

15 Is any part of the site subject to a Tree Preservation Order?

If, YES, please send a plan showing the extent of the order and any relevant details

16 a. Is Flooding an issue?

b. Has a Flood Risk Assessment been submitted? If YES, please attach a copy

17 Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?

18 a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of Natural Resources Wales.

b. Are any protected species likely to be affected by the proposals? If YES, please attach

19 a. Is your Authority's CIL charging schedule being/been examined?

If YES: Please provide date the CIL is likely to be adopted

b. Is your authority's CIL charging schedule adopted/likely to be adopted?

If YES: Please provide the date of adoption

c. Does your Authority consider that a contribution(s) secured by a planning obligation(s) would be required to make the appeal proposal acceptable in planning terms?

If Yes to 19 C

d. Please clarify the number of planning obligations which have been entered into on or after 6 April 2010 which provide for the funding or provision of a project, or provide for the funding or provision of that type of infrastructure for which your Council is seeking an obligation in relation to this appeal proposal. (This information is required for each obligation sought by your Council)

Schedule 1

- a. (i) Is the proposed development Schedule 1 development as described in Schedule 1 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
- (ii) if YES, under which description of development? (ie no.s 1-21)

Schedule 2

- b. (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
- (ii) If YES, under which description of development in Column 1? (i.e no.s 1-13)
- c. Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, Please provide details below

Screening

- d (i) Have you issued a Screening Opinion (SO) under regulation 25(2)? If YES, please attach a copy of the SO that was placed on the planning register, and any other related correspondence
- (ii) If, YES, did the SO state that the proposed development is EIA development as defined by the EIA Regulations? If you decided that proposed development is not EIA development as defined by the EIA Regulations, please give brief reasons for your opinion

Environmental Statement (ES)

- e. Has the appellant supplied an Environmental Statement?

Please supply any related correspondence from statutory consultees and others that you may have about the adequacy of the environmental information contained in the ES, having regard to the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 and Circular 11/99)

Publicity

- f. If applicable, please supply a copy of the site notice and local advertisement published under Article 12 of the DMPO (Wales) 2012

- 21 Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Please attach copies of any comments that you have received in response.

- 22 **Copies of the following documents must, if appropriate, be enclosed with this questionnaire:**

APPLIES

- a copy of the letter with which you notified people about the appeal;
- a list of the people you notified and the deadline you gave for their comments to be sent to us;
- all representations received from interested persons about the original application;
- any comments or directions received from the Welsh Government, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the DMPO 2012 (Wales);
- the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
- any representations received as a result of DMPO 2012 (Wales) Article 11 (or Regulation 7) notice;
- extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan) You must include the front page, the title and date of the approval/adoption, and give the status of the plan. Copies of the policies should include the relevant supporting text. you must provide this even if the appeal is against non-determination;

List of
Policies

APPLIES

- h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

List of Policies

- i. extracts from any supplementary planning document, together with the date of its adoption. In case of emerging documents, please state what stage they have reached;

List of Policies

- j a list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal

- k any other relevant information or correspondence you consider we should know

- l 2 plans of the site - (1:10,000 & 1:1250) reproduced from O.S digital map;

YES NO

22 Do you intend to send a 6 week statement about this appeal?

Authority's Ref:

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today

Completed by

On behalf of

Date Sent

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTION 6

NOTICE OF APPLICATION FOR PLANNING PERMISSION
HYSBYSIAD O GAIS AM GANIATÂD CYNLLUNIO

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012
GORCHYMYN CYNLLUNIO GWLAD A THREF (GWEITHDREFN RHEOLI DATBLYGU) (CYMRU) 2012

NOTICE UNDER ARTICLE 8
HYSBYSIAD O DAN ERTHYGL 8

PLANNING REFERENCE / CYFEIRNOD CYNLLUNIO: 2017/01310/FUL

NOTICE is given that an application has been made to The Vale of Glamorgan Council for planning permission:

HYSBYSIR trwy hyn i gais am ganiatâd cynllunio gael ei wneud i Gyngor Bro Morgannwg:

By/Gan: Mrs. Vanessa Damiani

Proposal/Cynnig: Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)

Location/Lleoliad: Post Office, 3, Station Road, Dinas Powys

Members of the public may inspect copies of:

- the application
- the plans
- and other documents submitted with it

at The Dock Office, Barry Docks during normal office hours (8.30 a.m. to 5.00 p.m. Monday to Thursday; 8.30 a.m. to 4.30 p.m. Friday).

The proposals can also be viewed on the Council's Online Applications Register at <http://vog.planning-register.co.uk> by searching for application number 2017/01310/FUL.

Anyone who wishes to make representations about this application should write to the Head of Planning and Transportation at *The Vale of Glamorgan Council, Dock Office, Barry Docks, Barry. CF63 4RT, within 21 days of the date of this notice*, quoting reference **2017/01310/FUL**.

Caiff aelodau o'r cyhoedd ddarllen copïau o'r:

- cais
- cynllun
- dogfennau eraill a gyflwynwyd gyda'r cais

yn Swyddfa'r Doc, Dociau'r Barri yn ystod oriau arferol swyddfa (8.30 a.m. - 5.00 p.m. rhwng dydd Llun a dydd Iau; 8.30 a.m. - 4.30 p.m. ar ddydd Gwener).

Cewch hefyd weld y cynigion ar Gofrestr Ceisiadau Ar-lein y Cyngor drwy fynd i <http://vog.planning-register.co.uk> a chwilio am rif y cais 2017/01310/FUL.

Dylai unrhyw un sydd am wneud sylwadau ar y cais ysgrifennu at Bennaeth Adran Cynllunio a Chludiant y cyngor, *Cyngor Bro Morgannwg, Swyddfa'r Doc, Dociau'r Barri, y Barri, CF63 4RT, cyn pen 21 o ddiwrnodau ar ôl dyddiad yr hysbysiad hwn*, gan ddyfynnu'r cyfeirnod «**2017/01310/FUL**»

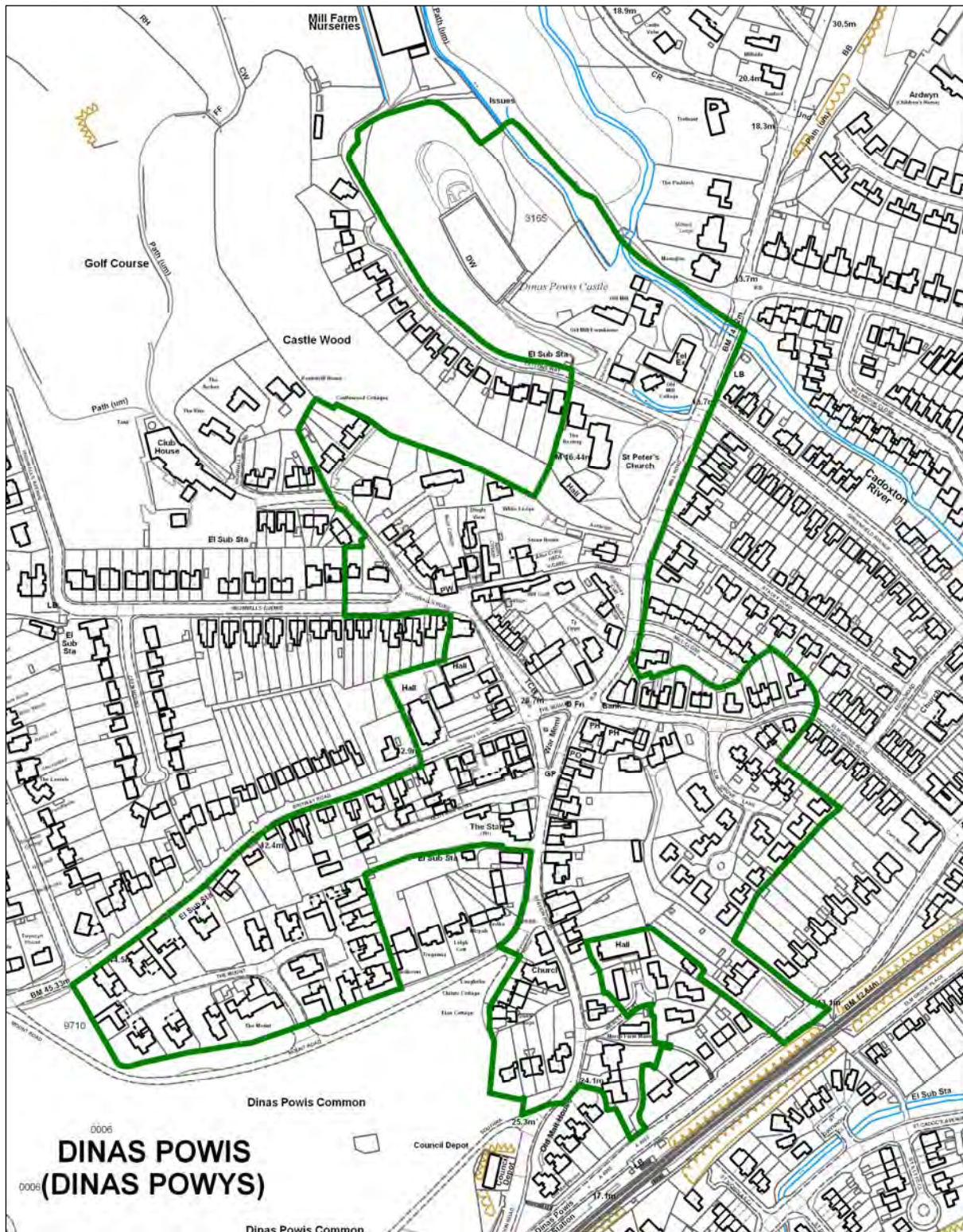
Dated/Dyddiad: 11 January 2018



Operational Manager Development Management
Rheolwr Gweithredol Datblygiad a Rheoli Datblygu

QUESTION 11

Dinas Powys Conservation Area



For further information please contact the Conservation & Design Team:
 (01446) 704626 / 8
www.valeofglamorgan.gov.uk

Vale of Glamorgan Council
 Dock Office
 Barry Docks
 Barry CF63 4RT

Not to Scale. For illustrative purposes only.
 First Designated: August 1971
 Amended: March 2009

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QUESTION22a

Date/Dyddiad: 5 July 2018
Ask for/Gofynwch am: Mrs. Lisa Chichester
Telephone/Rhif ffon: (01446) 704691
Your Ref/Eich Cyf:
e-mail/e-bost: LMChichester@valeofglamorgan.gov.uk
My Ref/Cyf: P/DC/LMC/2017/01310/FUL/

The Vale of Glamorgan Council
Dock Office, Barry Docks, Barry CF63 4RT
Tel: (01446) 700111
Cyngor Bro Morgannwg
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT
Ffon: (01446) 700111
www.valeofglamorgan.gov.uk



SEE DISTRIBUTION LIST

Dear Sir/Madam

Town and Country Planning Act 1990 (As Amended) - Section 78 Appeal

Council Reference: 2017/01310/FUL
Planning Inspectorate Reference: APP/Z6950/A/18/3205169
Appeal Start Date: 29 June 2018
Site: Post Office, 3, Station Road, Dinas Powys
Proposal: Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)
Appeal by: Mrs. Vanessa Damiani

I am writing to inform you that an appeal has been made to the Planning Inspectorate in respect of the above site. The appeal follows the decision of this Council to refuse planning permission for the development described above. The appeal is to be determined on the basis of an exchange of **written statements** by the parties, and a site visit by an Inspector from the Planning Inspectorate.

Any written comments that you may have already submitted on the planning application have been forwarded to the Planning Inspectorate and copied to the appellant, and will be taken into account by the Inspector in determining the appeal. Should you wish to withdraw any previous comments you must notify the Planning Inspectorate by 27 July 2018. If you wish to make any new representations, you should send these direct to **The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ**, quoting the reference **APP/Z6950/A/18/3205169**. You can also make your representations on-line at www.planningportal.co.uk. Such comments must be submitted no later than **27 July 2018**. Any representations received after the deadline will not normally be seen by the Inspector and will be returned to you. **Please note all representations will be published on the Planning Portal website.**

A copy of the appeal decision can be viewed on-line at <https://acp.planninginspectorate.gov.uk/> or obtained by making a request in writing to The Planning Inspectorate at the address given above. If you wish to inspect any document in connection with this appeal, these are available to view on-line at the Planning Portal website. Alternatively, please contact my Appeals Officer Mr. M. Williams on 01446 704859, or Mrs. Lisa Chichester, on 01446 704691.

Yours faithfully

Victoria Robinson
Operational Manager Development Management

QUESTION 22b

Appeals Notifications Distribution List

Appeal Reference: 18/3205169

Name: Address: Date Sent:
5/7/18

The Owner/Occupier 5 STATION ROAD
DINAS POWYS
CF64 4DE

The Owner/Occupier 8 ELM GROVE ROAD
DINAS POWYS
CF64 4AA

The Owner/Occupier CROSS KEYS INN
ELM GROVE ROAD
DINAS POWYS
CF64 4AA

The Owner/Occupier LIVING ACCOMMODATION CROSS
KEYS INN ELM GROVE ROAD
DINAS POWYS
CF64 4AA

The Owner/Occupier LIVING ACCOMMODATION THREE
HORSESHOES
1 STATION ROAD
DINAS POWYS
CF64 4DE

The Owner/Occupier THREE HORSESHOES
1 STATION ROAD
DINAS POWYS
CF64 4DE

The Owner/Occupier WALK-IN BARBERS
5A STATION ROAD
DINAS POWYS
CF64 4DE

Mr MARK DANIELL HEAD TO HEAD SALON
5 STATION RD
DINAS POWYS
CF64 4DE

Dinas Powys By email
Community Council

Appeals Notifications Distribution List

Appeal Reference: 18/3205169

Name:

Address:

Date Sent:

5/7/18

Councillor Crowley

By email

Councillor Driscoll

By email

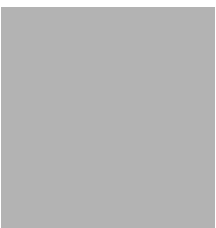
Councillor Griffiths

By email

Councillor Robertson

By email

QUESTION 22c



QUESTION
22c

Comment for planning application 2017/01310/FUL

Application Number	<input type="text" value="2017/01310/FUL"/>
Location	<input type="text" value="Post Office, 3, Station Road, Dinas Powys"/>
Proposal	<input type="text" value="Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)"/>
Case Officer	<input type="text" value="Mr. Shafqut Zahoor"/>
Organisation	<input type="text"/>
Name	<input type="text" value="Mr MARK DANIELL"/>
Address	<input type="text" value="HEAD TO HEAD SALON,5 STATION RD,DINAS POWYS,,CF64 4DE"/>
Type of Comment	<input type="text" value="Objection"/>
Type	<input type="text" value="Neighbour"/>
Comments	<input type="text" value="I strongly object to losing a commercial business property. Offers have been made to take on the property and retain the commercial aspect which Dinas Powys Square desperately needs. Having lost the bank on the square, as a local business owner I worry about the drop in passing trade. The square is lacking commercial shops to rent, and the opportunity to keep the heart of the village alive. Parking is also an issue and is limited."/>
Received Date	<input type="text" value="30/12/2017 12:47:45"/>
Attachments	

QUESTION 22d

COFNOD / MEMORANDUM

I / To:	Shafqut Zahoor
Adran / Dept:	Planning Department
Dyddiad / Date:	05 January 2018
Eich Cyf / Your Ref:	2017/01310/FUL

Oddi Wrth / From:	Rebecca Athay
Ein cyf / Our ref:	RA1-2478/17
Ffôn / Tel:	0300 123 6696
Ebost / Email:	RAthay@valeofglamorgan.gov.uk

SUBJECT: CHANGE OF USE OF GROUND FLOOR FROM A1 (POST OFFICE) TO C3 (2 BEDROOM FLAT)

PLANNING APPLICATION NO: 2017/01310/FUL

POST OFFICE, 3 STATION ROAD, DINAS POWYS, VALE OF GLAMORGAN, CF64 4DE

I refer to your memorandum received by this department on 20 December 2017, this department has no comments to make regarding the above application.

REBECCA ATHAY, NEIGHBOURHOOD SERVICES OFFICER

Comment for planning application 2017/01310/FUL

Application Number	<input type="text" value="2017/01310/FUL"/>
Location	<input type="text" value="Post Office, 3, Station Road, Dinas Powys"/>
Proposal	<input type="text" value="Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)"/>
Case Officer	<input type="text" value="Mr. Shafqut Zahoor"/>
Organisation Name	<input type="text" value="Mr Dinas Powys Community Council ."/>
Address	<input type="text" value="Parish Hall,2 Britway Road,Dinas Powys,CF64 4AF"/>
Type of Comment	<input type="text" value="Comment"/>
Type	<input type="text" value="Other"/>
Comments	<input type="text" value="Other type details: Community Council. Comment: Dinas Powys Community Council are extremely disappointed that this results in the loss of another opportunity for local business."/>
Received Date	<input type="text" value="12/01/2018 12:35:58"/>
Attachments	

Policy Observations

Case Officer: Mr. Shafqut Zahoor	
Pl. App. No: 2017/01310/FUL	Policy Ref: P/Pol/NPS/UDP17ii
Location: Post Office, 3, Station Road, Dinas Powys	
Proposal: Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)	
Relevant Plans / SPGs/ Background Papers: <ul style="list-style-type: none">• Vale of Glamorgan Adopted Local Development Plan 2011 – 2026• South Wales Parking Guidelines 2008 (as amended 2015)• Dinas Powys Conservation Area Appraisal and Management Plan• Planning Policy Wales (PPW) Edition 9 2016• Technical Advice Note 4 (TAN 4) – Retail and Commercial Development 2016• Technical Advice Note 12 (TAN 12) – Design 2016• Technical Advice Note 24 (TAN 24) – The Historic Environment 2017• Local and Neighbourhood Retail Centres Review (Updated Background Paper 2015)	
Relevant LDP Policies Managing Growth Policies MG12 – Retail Hierarchy MG15 – Non A1 Retail Uses within Local and Neighbourhood Retail Centres Managing Development Policies MD2 – Design of New Development MD5 – Development within Settlement Boundaries MD8 – Historic Environment	
Comments: <p>The proposed development is located within the settlement of Dinas Powys at No.3 Station Road which is within the traditional village centre of the settlement. The property is currently a vacant unit which was previously the village post office which is situated within the local retail centre known as Dinas Powys Village Centre. Furthermore, the Dinas Powys conservation area includes the property.</p> <p><u>Retail Policy</u></p> <p>The proposed development is located within a retail centre identified under Policy MG12 (Retail Hierarchy) of the adopted LDP. The retail centre is classed as a local centre; therefore, Policy MG 15 (Non A1 Retail Uses Within Local and Neighbourhood Retail Centres) applies. MG15 sets out three criteria which need to be met for proposal for non-A1 retail uses to be permitted, these are:</p> <p><i>“1. They would not result in excess of 50% non-a1 retail uses; 2. It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and 3. The proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre.”</i></p> <p>Local Retail Centres are defined in the Council's Local and Neighbourhood Retail Centres Review as having more than 10 retail units but less than 3500m². These types of centres usually “have a good range of convenience shops, including newsagents, general stores, butchers, green grocer's, bakers and so forth and also service shops including hairdressers and fast food takeaways. They also contain the majority of doctors and dentists found in shopping centres in the Vale” (Local and Neighbourhood Retail Centres Review, para.4.2). The review of Dinas Powys Village Centre suggested that the original retail boundary for the centre be reduced to account for the conversion of retail units in to residential dwellings between 2009 and 2013 (Local and Neighbourhood Retail Centres Review, para.4.15) this suggestion was adopted within the LDP. Appendix 2D of the Review shows a breakdown of the retail units over the years from 1997 to 2013. Overall the units on site have dropped from 29 to 20 which are mainly accounted for due to the amended retail boundary. In 2013 the review of the retail centre showed that 40% of the retail units in the centre were A1 which is already below criteria 1 of policy MG15 which states within local centres, proposals for non-A1 uses</p>	

will be permitted where: 1. They would not result in excess of 50% non-A1 uses”. However, since 2013 the Council has undertaken an annual retail health check of all its centres the most recent health check for Dinas Powys Village Centre was undertaken December 2017. The below table shows the results of the Retail health check:

Dinas Powys Village											
UCO	No. of Ground Floor Units		Internal Floor space (sq. m)		Product Category			Shop Classifications			
	Units	%	sq. m	%	Category	Units	%	Classification	Units	%	
A1	5	22.73	283.28	20.7	Food	8	36.36	Convenience	1	4.55	
A2	5	22.73	203.28	14.9	Clothing/ Footwear	0	0.00	Comparison	2	9.09	
A3	8	36.36	738.94	54.1	Furniture / Carpets	0	0.00	Service	14	63.64	
D1	1	4.55	41.02	3.0	Electrical	0	0.00	Non-Retail	2	9.09	
D2	0	0.00	0.00	0.0	DIY	0	0.00	Vacant	3	13.64	
Sui Generis	0	0.00	0.00	0.0	Other	11	50.00				
Vacant	3	13.64	99.53	7.3	Vacant	3	13.64				
Total	22	100	1366.06	100		22	100		22	100	

Since the 2013 review the health of the Dinas Powys Village Centre appears to have deteriorated in terms of A1 uses which now only accounts for approximately 23% of the local retail centre. This can be accounted for in an increase in A3 uses in the centre as well as units becoming vacant. TAN4 acknowledges that “long term vacant property can have a detrimental affect on the appearance and economic performance of a centre” (TAN4, para.9.5). Therefore, the impact of the vacant unit needs to be weighed against the impact of the proposed residential unit in terms of the possible affect it would have on the viability, vitality and attractiveness of the centre which has not been clearly evidenced in the Planning Statement. Furthermore, the supporting text of the LDP emphasises that “proposals which would result in the over concentration or clustering of non-A1 retail premises, including residential, within a local retail centre will be carefully controlled to ensure that the viability and retail function of the local centre is maintained” (LDP, para.6.85). Based on the Council’s Local and Neighbourhood Retail Centres Review, Dinas Powys Village centre has already experienced shrinkage in 2013 due to the prominence of residential change of use development which shows the centre is susceptible to residential development having a detrimental impact upon the centre.

The applicant has submitted a Planning Statement to support their proposal. Paragraphs 10 through to 13 assess the possible impact the proposal would have on the retail provision of the Local Centre. However, the statement does not offer any evidence for its assertion “it is not considered the proposal would result in an excess of 50% non-retail uses” (para. 11). Firstly the statement should evidence whether there is an excess of 50% for non-A1 uses rather than non-retail uses. Furthermore the statement makes the claim there is no instruction in the LDP on how to define this 50% excess. It is considered the policy is self-explanatory, taking the meaning that the ground floor units within a designated retail centre do not exceed 50% of non-A1 units. This would normally be done by undertaking a site visit and counting the retail units in the centre and identifying which use class they are, once this has been done the applicant would be able to evidence whether there is an excess of 50% of non-A1 uses. A good starting position for the applicant would be to analyse the Council’s background document known as Local and Neighbourhood Retail Centres Review (Updated Background Paper 2015) which contains an overview of the centre’s units (Appendix 2D) and a brief description of the centre. If a site visit cannot be undertaken retail consultancies such as Experian offer data

for a fee which shows the retail units within a defined area and their use class. As stated above and in line with national guidance contained in TAN 4 (section 13) the Council undertakes an annual retail health check which helps to evidence the vitality, viability and attractiveness of centres and to understand how centres change over period of time. The applicant may wish to undertake a more recent check of the retail centre to contradict the council's results and to evidence the proposal under MG15.

In regards to criteria 2 of policy MG15, the applicants submitted market report appears to adequately show the site has been marketed appropriately to demonstrate that the existing use is not viable. The supporting text of the LDP states *"in order to protect the vitality, attractiveness and viability of local retail centres, changes of use to non-A1 uses will only be permitted where appropriate marketing efforts have been undertaken for at least 6 months to demonstrate that there is no demand for A1 uses. Information from the agent or applicant regarding demand could take the form of a marketing report or correspondence from the relevant property agent. The type of information could include the following:*

- *Details of the existing use or previous use if vacant;*
- *The length of time the unit has been vacant, if applicable;*
- *The type of use which the unit has been marketed for, what the marketing strategy involved and its duration;*
- *The amount of interest in the unit during the marketing period – this should detail the number of queries, the type of uses sought, and if known, the reason for not pursuing any initial enquiries."* (LDP, para.6.84)

Based on the supporting text of the LDP the market report submitted complies with MG15's criteria.

Recommendation:

A policy objection due to the lack of retail evidence submitted to support the application as required by policy MG15 of the LDP. Although it is considered criterion 2 of the policy has been met, the applicant still needs to evidence criterion 1 and 3 appropriately to allow the proposed development to be properly assessed.

Signed: Nathan Slater

Date: 04/01/2018



Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2017/01310/FUL
Observations By:	Paul D Harrison
Date:	21 December 2017
Location:	Post Office, 3, Station Road, Dinas Powys
Proposal:	Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)
Case Officer:	Mr. Shafqut Zahoor

The above proposals seek a change of use from a single ground floor retail unit to provide a 2 bedroom apartment. As part of the development, car parking will be provided within an existing garage within the site and along the associated driveway.

When reviewing the proposals it is noted that the driveway is not wide enough to allow a vehicle to park and enable occupants to exit vehicle. In addition, it has not been possible to assess the suitability of the garages for the provision of parking, as associated details have not been provided.

Nevertheless, based on the Councils adopted parking standards, it is noted that the proposals do not require additional car parking to be provided above that of the existing retail use at the site.

Therefore, based on the above, an objection in relation to the highway and transportation aspect of the development is not raised in this instance.

QUESTION22e

Mrs. Vanessa Damiani C/o Agent
Jeremy Peter Associates Mr. Jeremy Peter, 21, Britten Road, Penarth. CF64 3QJ

Post Office, 3, Station Road, Dinas Powys

Change of use of Ground Floor from A1 (Post Office) to C3 (2 bedroom flat)

SITE AND CONTEXT

The application site relates to a two storey end of terrace building located within the Dinas Powys settlement boundary. The ground floor unit which is subject to this application is currently vacant but until recently has been occupied as a post office falling within the A1 use class. The first floor is occupied as a residential flat. The site falls within the Dinas Powys Village Centre and is defined as a Local Centre in the Local Development Plan.

The building sits within the Dinas Powys Conservation Area.



DESCRIPTION OF DEVELOPMENT

The application proposes the change of use of the ground floor unit from an A1 Post office use to a C3 two bedroom flat.

PLANNING HISTORY

2009/00336/FUL, Address: Post Office, 3, Station Road, Dinas Powys, Proposal: Installation of an external ATM cash machine through glazing on the right hand side of shopfront, Decision: Approved

CONSULTATIONS

Dinas Powys Community Council were consulted on 20 December 2017. A response received on 12 Jan 2018 states THAT Dinas Powys Community Council are extremely disappointed that this results in the loss of another opportunity for local business.

Highway Development were consulted on 20 December 2017. A response received on 21 Dec 2018 confirms no objection to the proposal.

Environmental Health (Pollution) were consulted on 20 December 2017. A response received on 10 Jan 2018 confirms no objection.

Policy Section (Planning) were consulted on 20 December 2017. A response received on 11 Jan 2018 objects to the planning application as the proposal does not meet the requirements of MG15.

Dinas Powys Ward were consulted on 20 December 2017. No response was received at the time of writing this report.

REPRESENTATIONS

The neighbouring properties were consulted on 20 December 2017 and a site notice was also displayed on 11 January 2018. To date 1 letter of representation has been received objecting to the loss of a commercial unit and parking.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – DELIVERING THE STRATEGY

POLICY SP3 – RESIDENTIAL REQUIREMENT

POLICY SP10 – BUILT AND NATURAL ENVIRONMENT

Managing Growth Policies:

POLICY MG1 – HOUSING SUPPLY IN THE VALE OF GLAMORGAN
POLICY MG12 – RETAIL HIERARCHY
POLICY MG15 – NON A1 RETAIL USES WITHIN LOCAL AND
NEIGHBOURHOOD RETAIL CENTRES

Managing Development Policies:

POLICY MD2 - DESIGN OF NEW DEVELOPMENT
POLICY MD5 - DEVELOPMENT WITHIN SETTLEMENT BOUNDARIES
POLICY MD7 - ENVIRONMENTAL PROTECTION
POLICY MD8 - HISTORIC ENVIRONMENT
POLICY MD16 – PROTECTION OF EXISTING EMPLOYMENT SITES AND
PREMISES

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 9, 2016) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 4 – Retailing and Town Centres (1996)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 24 – The Historic Environment (2017)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Amenity Standards
- Parking Standards (Interactive Parking Standards Zones Map)
- Dinas Powys Conservation Area Appraisal and Management Plan

In addition, the following background evidence to the Local Development Plan is considered relevant to the consideration of this application insofar as it provides a factual analysis and information that is material to the issues addressed in this report:

- Local and Neighbourhood Retail Centre Review updated background paper (2015)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a duty on the Council 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.*

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

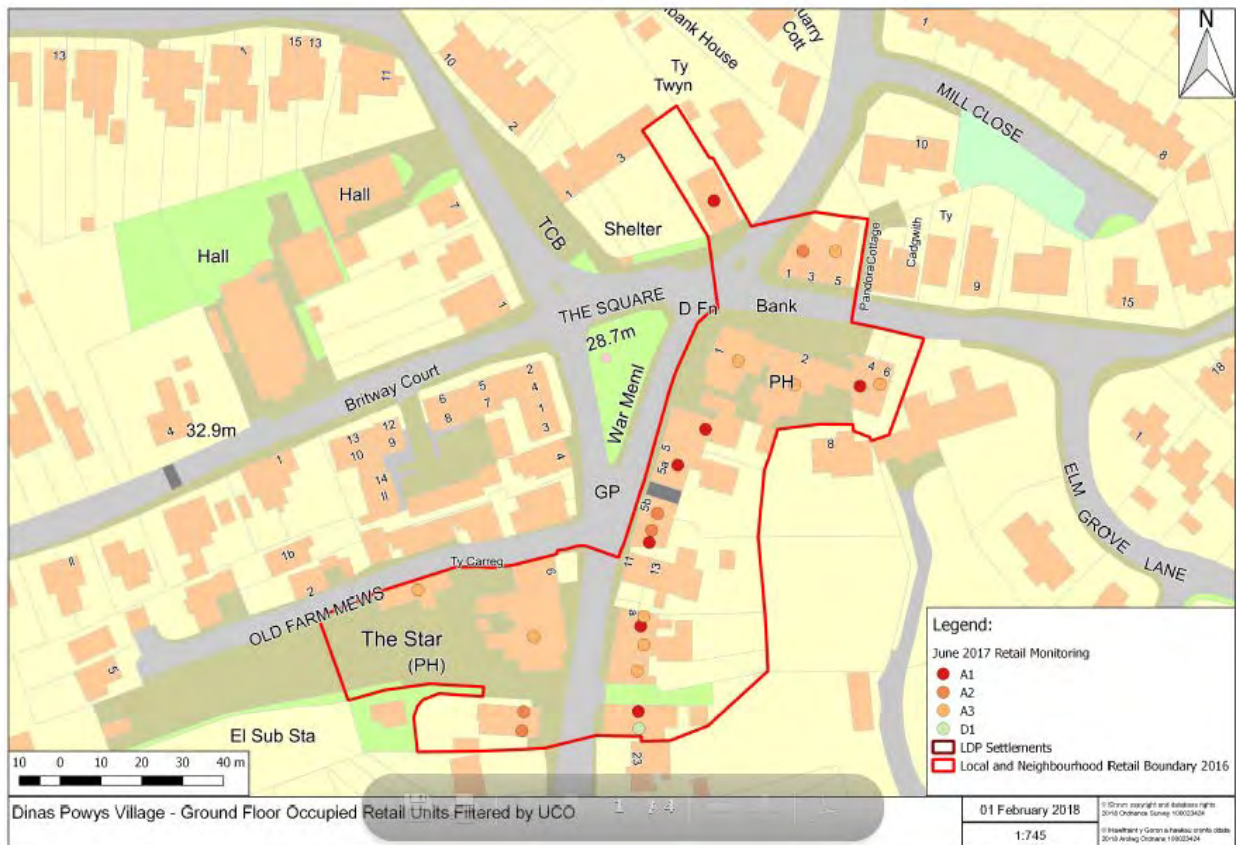
Issues

The application as submitted also proposed a replacement shopfront, following confirmation from the agent, this aspect of the proposal was removed.

As the proposal related to a change of use, the main issue to consider is the acceptability of the loss of an existing A1 retail unit within this Local Centre and whether the proposed use would be appropriate and not harmful to the amenities of the area or nearby residential occupiers, amenity space provision, the impacts of the proposal on the character of the Dinas Powys Conservation Area, parking and access issues and impact on the amenity of adjacent occupiers.

Loss of retail use

As aforementioned, the site falls within the Dinas Powys Village Centre and is defined as a Local Centre in the Local Development Plan. The plan below shows the extent of the Local Centre boundary.



Policy MG15 relates to non A1 retail uses within local & neighbourhood retail centres. This policy only permits non-a1 retail uses in Local Centres where:

1. They would not result in excess of 50% non-a1 retail uses;
2. It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and
3. The proposal would not result in an over concentration of non-a1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre.

In respect of the first criterion, from the site inspection and from Council up to date records, the split of uses within the Dinas Powys Village Local Centre is shown below and compared against the split of use classes in the centre as a result of the proposal.

Use Class	Current 2018 split	% of use in relation to total	Including application proposal	% of new use in relation to total
A1	7	31.8	6	27.2
A2	5	22.7	5	22.7
A3	9	40.9	9	40.9
D1	1	4.5	1	4.5
C3			1	4.6
Total	22		22	

The centre already falls below the 50% of non-a1 retail uses (31.8%), of which there are only 7 units out of a total of 22 units within the defined centre. Therefore the loss of an A1 unit would only result in 6 units within the centre and would result in only 27.2% A1 units remaining. Whilst it may be argued that the change in percentage is only some 4.6% in real terms the reduction in the already limited number of A1 units from 7 to 6 would impact on the role and function of Dinas Powys Village Local Centre. The proposal would therefore be contrary to criterion 1 of Policy MG15.

Criterion 2 requires that it has been demonstrated through active and appropriate marketing that the existing use is no longer economically viable.

The written justification to this policy under paragraph 6.84 states that:

“Therefore, in order to protect the vitality, attractiveness and viability of local retail centres, changes of use to non-A1 uses will only be permitted where appropriate marketing efforts have been undertaken for at least 6 months to demonstrate that there is no demand for A1 uses. Information from the agent or applicant regarding demand could take the form of a marketing report or correspondence from the relevant property agent. The type of information could include the following:

- Details of the existing use or previous use if vacant;
- The length of time the unit has been vacant, if applicable;
- The type of use which the unit has been marketed for, what the marketing strategy involved and its duration;
- The amount of interest in the unit during the marketing period – this should detail the number of queries, the type of uses sought, and if known, the reason for not pursuing any initial enquiries.

In regards to the submitted application, the applicant has supplied two supporting documents which relate to the marketing of the property, the first is the initial Marketing Report and the second marketing document is in the form of an email correspondence which updates the initial report.

The initial Marketing Report appears to address the principles set out in the LDP's Policy MG15 under the supporting text at para.6.84. Firstly the report states the property has been marketed “for a period of 19 months” (Marketing Report, page 1) which greatly exceeds the minimum requirement of 6 months under the policy. Regarding the details of the property and its existing/previous use(s) the report gives the following details; “The end of terrace, two storey premises comprises a ground floor retail unit, with ancillary accommodation, which extends to the following areas:

- Open plan sales: 43.60 sq m (470 sq ft)
- Rear offices: 21.54 sq m (230 sq ft)
- Basement storage: 27.80 sq m (300 sq ft)
- Rear yard with 2 storey annex, extending to 32.34 sq m (350 sq ft)

Following the closure of the post office, the retail element has been vacant and marketed with vacant possession.

At first floor level, the property comprises a 2 bedroom, self-contained flat which has been occupied consistently under an Assured Shorthold Tenancy (AST)" (Marketing Report, page 1). The detail regarding the property is brief but is considered to be sufficient to adequately describe the property and its previous uses although the UCO is not mentioned in this section of the report, in the following section it states "in addition to its current use which falls within A1 (retail), as defined in the Town and Country Planning (Use Classes) Order 1987" (Marketing Report, page 1).

The property was marketed by Burnett Davies with Easton which advertised the property in three of their offices in Dinas Powys, Barry and Cardiff. Using a joined up approach between the three offices the following initiatives were undertaken:

- "A 5' x 4' marketing board was erected on the gable end of the building and a further, 5' x 4' board was placed in the shop window.
- A set of comprehensive property particulars were produced setting out detailed information including areas, rates and planning guidance together with colour photography and full floor plans
- Extensive, targeted mailing exercises were undertaken by email and post.

Recipients included the following:

- The local authority and other public sector enablers
- Commercial agents active in the Cardiff and Vale area who might potentially be representing clients seeking similar premises in the area
- Relevant applicants held on our in-house databases seeking retail premises / office space
- Parties who made enquiries about the property
- Advertising was also undertaken at a local and regional level within the property pages of the Barry Gem and Western Mail.
- Website coverage including Rightmove, Zoopla, OnTheMarket.com and our own website.
- Window cards also promoted the availability of the property within Burnett Davies with Easton's Dinas Powys and Barry shopfronts." (Marketing Report, page 2). This is considered to be an adequate marketing strategy as it wasn't limited to the immediate area and covered neighbouring areas which might have interest in the property, furthermore, the marketing strategy utilised the internet using well known providers increasing the coverage of the property.

The property was marketed for an A1 but also having the potential for a number of alternative uses which included “A2 (financial services), A3 (restaurant & café), B1 (office) and D1 (clinic or consulting rooms).” (Marketing Report, page 2) This suggests the property was marketed for a variety of uses showing flexibility within the marketing strategy. The report states it’s been marketed over a 19 month period which is substantial enough to meet the minimum requirement of 6 months.

In terms of interest, the Marketing report addresses this under the section named Demand (Marketing Report, page 3 refers). The report states 11 people have shown interest in the property between 05/05/15 to 07/11/16 for a variety of uses ranging from a deli/coffee shop (A3) to fertility clinic (D1). This resulted in a single offer which the report deemed unrealistic based on the following “The interested party requested annual break options in their favour, a reduced rent and 3 month rent free commencing from their date of occupation. In addition, they didn’t want to make a contribution towards the service charge (in respect of the upkeep and maintenance of the building, common / shared parts and buildings insurance etc.). Furthermore, they required a change of use to a clinic (D1).”(Marketing Report, page 3).

The email correspondence updates the report which appears to include the sale of the ancillary residential flat rather than just the retail unit. It reiterates the previous marketing strategy but is limited to the areas of Barry and Dinas Powys estate agent offices. This was over an additional 12 month period. It should be noted the property’s advert on the internet on the website rightmove states the property was added on 22/05/2017 which contradicts the marketing report and the email update which states it has been advertised on the internet for the entire marketing period of 30 plus months. This raises concerns over the appropriateness of the marketing strategy and whether it was undertaken as stated. In any case, the property would have been advertised for the minimum requirement of 6 months.

Overall the marketing report and the update appear to be adequate in terms of criterion 2 of LDP policy MG15.

In terms of criterion 3 of MG15, if permitted the proposal would result in an over concentration of non A1 uses in the centre. The application would also result in a dead window frontage, this together with the loss of a commercial unit is considered to be detrimental to the vitality, attractiveness and viability of the local centre. Given this, the proposal would not satisfy criterion 3 of MG15.

All 3 criteria of MG15 need to be met for the proposal to be permitted under Policy MG15. The proposal, for the reasons set out above is contrary to criterion 1 and 3. Therefore in failing compliance with two of the three criteria, the proposal would be contrary to Policy MG15.

Principle of additional residential accommodation

The property falls within the settlement boundary of Dinas Powys, where Policy MD5 (Development within Settlement Boundaries) of the LDP supports additional residential development, subject to the proposal satisfying the criteria set out within Policy MD5.

The proposal relates to the conversion of a retail unit to residential use. Notwithstanding the objection to the loss of the retail use, no extensions are proposed. However criterion 3 requires that proposed development, amongst other things, should "...not unacceptably impact on the character and appearance of the locality". As stated above, the loss of an A1 unit and the creation of an inactive retail frontage may well impact on the character of Dinas Powys Village Local Centre.

Impact upon Conservation Area

In terms of character of the Conservation Area, Policy MD8 is particularly relevant and states that '...Development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, Specifically...within Conservation Areas, development proposals must preserve or enhance the character or appearance of the area...'

The application as submitted proposed the removal of the shopfront and replacement with a PVC replacement. Following officer concerns, the agent confirmed that the existing shopfront would be retained. As such no external changes would be proposed and the proposal would not harm the wider character of the Dinas Powys conservation area.

Parking

The application indicates that the proposals will be served by two off road parking spaces and it is noted that the Council's highway engineer has not objected to the proposal. Given this, the proposal raises no objection in relation to parking.

Amenity Space

The Amenity Standards SPG states that new residential developments should be served by adequate and useable provision of amenity space. For flatted developments, the standards require 20 sq. m per person, which is based on the internal layout and the number of people that could be occupied. The proposal includes the use of the ground floor garden which is considered sufficient to serve the proposed flat.

Impact upon amenity of neighbouring residential properties

As detailed the proposals would not amount to the provision of additional windows within the external fabric of the building. Whilst it is noted that the nature of the use of the openings would change, it is considered that the proposed change of use would not harm the amenities or privacy of neighbouring properties.

Other Matters

Neighbour objections have been noted and concerns raised have been addressed in the body of the report.

REASON FOR RECOMMENDATION

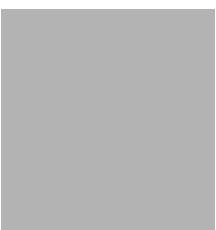
The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

The proposal would result in the loss of an existing retail unit, which would result in an excess of 50% of non A1 retail uses and an over concentration of non A1 uses in Dinas Powys Village Local Centre, detrimental to the vitality, attractiveness and viability of the local centre. The principle of the development is therefore considered unacceptable and detrimental to the local community, failing to comply with Policies SP1- Delivering the Strategy, MG15- Non A1 Retail Uses within Local and Neighbourhood Retail Centres, and MD2- Design of New Development of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and the advice and guidance set out in Planning Policy Wales, (Edition 9) and Technical Advice Note 4 – Retailing and Town Centres (1996)

REFUSE (W.R.)

1. The proposal would result in the loss of an existing retail unit, which would result in an excess of 50% of non A1 retail uses and an over concentration of non A1 uses in Dinas Powys Village Local Centre, detrimental to the vitality, attractiveness and viability of the local centre. The principle of the development is therefore considered unacceptable and detrimental to the local community, failing to comply with Policies SP1- Delivering the Strategy, MG15- Non A1 Retail Uses within Local and Neighbourhood Retail Centres, and MD2- Design of New Development of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and the advice and guidance set out in Planning Policy Wales, (Edition 9) and Technical Advice Note 4 – Retailing and Town Centres (1996).

QUESTION 22g



QUESTION
22g

Vale of Glamorgan Local Development Plan 2011 - 2026

Local Development Plan

Written Statement

June 2017



LDP Strategy

- 5.25 The LDP Strategy provides a land use framework that is flexible and will help to deliver widespread benefits across the Vale of Glamorgan. The Council will seek to assist delivery of the LDP by securing public sector funding through various mechanisms such as the Cardiff Capital Region City Deal, Regional Transport Plan, the Welsh Government Rural Communities – Rural Development Programme (2014 – 2020) and the European Agricultural Fund for Rural Development. The designation of St. Athan – Cardiff Airport as an Enterprise Zone and Barry as a Regeneration Area are key to the successful delivery of the Strategy.
- 5.26 It is acknowledged, however, that the successful implementation of the Strategy depends on a number of key external factors. Examples include the availability of genuinely developable land, the introduction of new European or national policy, changes in the global and local economy and the availability of private and public sector funding.
- 5.27 In view of the above, section nine of the LDP contains a monitoring framework which will help to assess the effectiveness of the LDP Strategy and policies in meeting the Plan’s objectives. In particular, the Council will closely monitor the development of the strategic regeneration site at Barry Waterfront, development at St. Athan– Cardiff Airport Enterprise Zone, the provision of new land for employment and housing (including affordable housing), as well as proposed transport improvements.
- 5.28 Following adoption of the LDP, the Council will publish an Annual Monitoring Report which will identify any Policies that are not being implemented, the reasons why and suggest suitable amendments to the LDP to address the situation. In addition, a full review of the LDP is required every four years in accordance with LDP Regulation 41 (1)³.

Strategic Policies

- 5.29 The following Strategic Policies (SPs) provide a framework for delivering the LDP Strategy.

POLICY SP1 - DELIVERING THE STRATEGY

The strategy will seek to improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets. This will be achieved by:

- 1. Providing a range and choice of housing to meet the needs of all sectors of the community;**
- 2. Promoting a range of employment sites intended to meet the needs of the Vale of Glamorgan and the wider capital region;**
- 3. Reinforcing the role of Barry, service centre settlements and primary settlements as providers of cultural, commercial and community services;**
- 4. Promoting sustainable transport;**
- 5. Delivering key infrastructure linked to the impacts of development;**
- 6. Protecting and enhancing the built, natural and coastal environment;**

7 Promoting opportunities for sustainable tourism and recreation; and

8. Favouring development that promotes healthy living.

5.30 The LDP's Strategy area is illustrated on the Key Diagram. Over the last 15 years, the South East Zone and some of the Primary Settlements have experienced significant housing growth and there continues to be a need for affordable housing in this area, particularly in Barry. This additional housing, whilst assisting in supporting and sustaining facilities, has also placed increased pressure on existing infrastructure as well as local services and facilities. The limited local employment opportunities has also meant that a large number of residents living in this area continue to commute to neighbouring authorities, particularly Cardiff, on a daily basis placing increased pressure on existing public transport services and the strategic highway network.

5.31 The LDP provides a policy framework which seeks to maximise regeneration opportunities and create sustainable communities. The LDP Strategy aims to match existing and planned housing developments with new local employment opportunities thereby providing opportunities for the resident population to work within the Vale of Glamorgan. The LDP Strategy also aims to enhance sustainable transport opportunities in order to reduce dependence on the car and ease congestion in the locality. In addition, new and improved retail and community facilities will be provided as part of new development proposals to meet the needs of the Vale of Glamorgan's growing population.

5.32 In developing sustainable communities, proposals which promote healthy living and address health inequalities will also be favoured. This includes designing environments which encourage physical activity and considering the health and healthcare needs of future residents through the design of buildings or the multi-use of community facilities, particularly where this enables people to retain their independence and remain within the local community.

POLICY SP2 - STRATEGIC SITES

Land is allocated for development at the following strategic sites:

- 1. Mixed uses at Barry Waterfront;**
- 2. Mixed uses at St. Athan; and**
- 3. Employment uses at land adjacent to the airport and Port Road, Rhoose, as part of the St. Athan – Cardiff Airport Enterprise Zone**

5.33 The sites identified in Policy SP2 (Strategic Sites) are those that are considered to be major elements contributing to the implementation of the LDP Strategy as set out in the Plan i.e. the promotion of development and regeneration opportunities within the specific areas identified within the strategy.

Barry Waterfront

5.34 Barry Waterfront lies adjacent to the No. 1 Dock and comprises approximately 48.55 hectares of previously developed land, enclosing 30 hectares of water with 4.3 km of quayside. The Vision for Barry Waterfront is:

Managing Growth in the Vale of Glamorgan

POLICY MG12 - RETAIL HIERARCHY

The hierarchy of retail centres within the Vale of Glamorgan is defined as follows:

Town centres

- Barry

District centres

- Barry (high street/broad street)
- Cowbridge
- Llantwit major
- Penarth

Local centres

- Barry: Main Street, Cadoxton; Vere Street, Cadoxton; Park Crescent; Barry Road, nr. Cadoxton; Upper Holton Road
- Dinas Powys: Cardiff Road; Dinas Powys village centre
- Penarth: Cornerswell Road
- Rhose: Fontygary Road
- St Athan: The Square

Neighbourhood centres

- Barry: Bron-y-Mor; Cwm Talwg; Gibbonsdown Centre; Park Road
- Boverton
- Dinas Powys: Camms Corner; Castle Court/The Parade
- Font-y-Gary: Adenfield Way
- Llantwit Major: Crawshay Drive
- Penarth: Pill Street; Tennyson Road

6.66 The retail hierarchy of the Vale of Glamorgan is strongly influenced by the availability of retail provision within and on the periphery of Cardiff. Easily accessible by sustainable transport from within the Vale of Glamorgan, Cardiff City Centre is the primary retail attractor within the region and offers a wide range and assortment of convenience and comparison shopping. The major out of centre Retail Park at Culverhouse Cross on the eastern periphery of the Vale of Glamorgan is in close proximity to and impacts upon the main town and district centres of the Barry, Penarth and Cowbridge and is a significant retail attraction in its own right. There are a number of other existing out of town and edge of centre retail areas in the Vale of Glamorgan which do not form part of the retail hierarchy. Proposals for new retail development or additional floorspace in these retail areas will be assessed against Policy MG13.

6.67 Within the Vale of Glamorgan shopping provision is largely concentrated within Barry Town Centre and the District Retail Centres of Penarth, Cowbridge and Llantwit Major. Identified in the Wales Spatial Plan as one of fourteen key settlements that have a critical role in the growth of the Capital Region, Barry Town Centre provides for a broad range of retail, service, employment and leisure uses that serve more than a local need. Retail provision in the district centres is characterised by a range of local and national retailers and service providers that predominantly serve local catchment areas. Elsewhere within the Vale of Glamorgan, smaller independent retailers provide important daily convenience services for the immediate catchment area surrounding the local and neighbourhood centres.

Managing Growth in the Vale of Glamorgan

6.68 The Council has prepared a Town and District Retail Assessment¹² for each of the town and district retail centres within the hierarchy which defines the extent of the centre boundaries and identifies the primary and secondary shopping frontages. These are illustrated at Appendix 5. In addition, the Council commissioned work to provide a Framework for Barry Town Centre and the District Centres of Cowbridge, Llantwit Major, Penarth and Barry (High Street/Broad Street) and it is envisaged that this framework will be published as Supplementary Planning Guidance. The Council has also reviewed the local and neighbourhood retail centres¹³ and the relevant retail centre boundaries are shown in Appendix 6.

POLICY MG13 - EDGE AND OUT OF TOWN RETAILING AREAS

Proposals for new retail development on new sites or existing retail areas in edge and out of town locations, including changes of use, extensions, the merger or subdivision of existing units or amendments to existing planning conditions relating to the sale of goods will only be permitted where:

- 1. It can be demonstrated that there is an additional need for the proposal which cannot be provided within an existing town, or district retail centre, and**
- 2. The proposal would not either individually or cumulatively with other recent or proposed consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town, district, local or neighbourhood centres**

6.69 The Vale of Glamorgan retail hierarchy comprises of the town, district, local and neighbourhood centres identified within Policy MG12, and excludes any existing edge of centre or out of town retail parks within the Vale of Glamorgan. Existing edge of centre and out of town retail areas in the Vale of Glamorgan have been identified at the following locations:

Edge of Centre

- Barry: Barry Waterfront; Palmerston; Pencoedtre; Highlight Park
- Penarth: Terra Nova Way

Out of Town

- Culverhouse Retail Park, Culverhouse Cross
- Brooklands Terrace Retail Park, Culverhouse Cross
- Valegate Retail Park Culverhouse Cross
- Penarth Road Retail Park

6.70 Proposals for new retail development in edge and out of town retailing areas will be strictly controlled in accordance with national policy, in order to support existing established retail centres in the retail hierarchy.

6.71 Policy MG13 sets out the criteria by which proposals for new retail development in edge and out of town locations will be assessed in line with national policy. It applies to all proposals that create additional retail floor space, including changes of use, extensions, the subdivision / merger of existing units, mezzanine floors and variations to relevant planning conditions. The aim of the policy is to preserve and enhance the vitality, viability and attractiveness of existing town, district, local and neighbourhood centres as well as promoting sustainable communities and sustainable travel patterns. In this regard, proposals for small shops that serve a local neighbourhood or rural village and farm shops will be favoured outside existing retail centres.

¹²Vale of Glamorgan Town and District Centre Retail Assessment (2013 Update)

¹³Vale of Glamorgan Local and Neighbourhood Retail Centres Review (April 2015)

Managing Growth in the Vale of Glamorgan

- 6.77 Within primary and secondary frontages consideration will also be given to whether the proposal would lead to or add to a concentration or clustering of non-A1 uses. Concentrations of non-A1 uses will therefore be carefully controlled to prevent the creation of dead retail frontages that detract from the recognised retail character and appearance of the area and will be considered on a site by site basis.
- 6.78 A3 food and drink uses such as cafés, wine bars and hot food takeaways can be complementary to existing retail centres helping to support their viability and diversity. However an over concentration of such uses within a centre can also have a detrimental impact upon existing retail premises and the retail centre itself and such uses will therefore be carefully controlled.
- 6.79 Where it can be demonstrated that the retention of an existing ground floor A1 retail use is no longer economically viable, alternative uses may be permitted. The applicant will be required to demonstrate that the property has been actively marketed for a continuous period of at least 12 months and that the proposed use would have no unacceptable impact on the role and function of the retail centre. Information from the agent or applicant regarding appropriate marketing could take the form of a marketing report or correspondence from the relevant property agent. The type of information could include the following:
- Details of the existing use or previous use if vacant;
 - The length of time the unit has been vacant, if applicable;
 - The type of use which the unit has been marketed for, what the marketing strategy involved and its duration;
 - The amount of interest in the unit during the marketing period – this should detail the number of queries, the type of uses sought, and if known, the reason for not pursuing any initial enquiries.
- 6.80 To ensure that the number of retail units within the town and district retail centres is maintained, proposals for the change of use of ground floor commercial premises to residential use is unlikely to be permitted within the identified primary and secondary frontages. However, where vacant upper floor space exists, conversion to residential, commercial or community uses will be favoured.

POLICY MG15 -

NON-A1 RETAIL USES WITHIN LOCAL & NEIGHBOURHOOD RETAIL CENTRES

Within local retail centres, proposals for non-A1 retail uses will be permitted where:

- 1. They would not result in excess of 50% non-A1 retail uses;**
- 2. It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and**
- 3. The proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre.**

Within neighbourhood retail centres, proposals for non-A1 retail uses will be permitted where it is demonstrated that the new use would not have an unacceptable impact on the vitality, attractiveness and viability of the centre through:

- **The over concentration of non- A1 retail uses;**
- **The creation of a dead window frontage; or**
- **An unacceptable effect on the amenity of neighbouring uses.**

Managing Growth in the Vale of Glamorgan

- 6.81 The Council has undertaken a review of the local and neighbourhood retail centres to determine the extent and viability of each centre and the boundaries of these centres are shown at Appendix 8.
- 6.82 As part of the retail assessment, Upper Holton Road has been redefined as a local retail centre within the retail hierarchy, with a small retail core identified. In order to try and sustain this retail core, the Council has prepared Development Guidelines as Supplementary Planning Guidance (SPG) which seeks to encourage improvements to the retail centre to improve its attractiveness and viability.
- 6.83 The local and neighbourhood retail centres of the Vale of Glamorgan perform a valuable role in sustaining local communities, providing for the daily needs of local residents and reducing the need to travel. However modern shopping habits have seen the role of local and neighbourhood centres decline and the range of facilities at many of the centres are slowly being eroded and replaced by non-retail, often service uses or converted to residential properties. While in some cases such changes result in the beneficial reuse of otherwise vacant properties that detract from the local environment, others can significantly damage the viability of a centre and contribute to its decline and ultimate loss. It is important therefore to ensure that such changes are carefully managed and that the important role of the local retail centres is maintained.
- 6.84 Therefore, in order to protect the vitality, attractiveness and viability of local retail centres, changes of use to non-A1 uses will only be permitted where appropriate marketing efforts have been undertaken for at least 6 months to demonstrate that there is no demand for A1 uses. Information from the agent or applicant regarding demand could take the form of a marketing report or correspondence from the relevant property agent. The type of information could include the following:
- Details of the existing use or previous use if vacant;
 - The length of time the unit has been vacant, if applicable;
 - The type of use which the unit has been marketed for, what the marketing strategy involved and its duration;
 - The amount of interest in the unit during the marketing period – this should detail the number of queries, the type of uses sought, and if known, the reason for not pursuing any initial enquiries.
- 6.85 Similarly proposals which would result in the over concentration or clustering of non-A1 retail premises, including residential, within a local retail centre will be carefully controlled to ensure that the viability and retail function of the local centre is maintained. It is recognised, however, that a mix of non-retail uses such as medical centres and dental practices can contribute to or improve the viability of local centres, providing improved local services and increasing footfall near retail premises. Such uses will therefore generally be favoured where the retail role of the local centre is maintained and there is no unacceptable impact upon local amenity. Given the diversity of the identified retail centres, proposals for non-A1 uses will be assessed on a case by case basis against the individual characteristics of each local centre.
- 6.86 The smaller neighbourhood centres of the Vale of Glamorgan are more affected by changes in shopping behaviour and are more likely to be under threat from alternative uses, particularly conversions to residential use. While recognising the importance of the retail uses in these neighbourhood centres and the role that they play in reducing the need to travel, the Council recognises that it is not always commercially viable to maintain a retail presence. Therefore, while the retention of A1 retail uses within neighbourhood centres is desirable and will be encouraged, where it can be demonstrated that there will be no unacceptable impact on the viability and vitality of the centre and the retention of A1 retail use is no longer economically viable, alternative uses will be permitted.

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6.87 Proposals for alternative uses in local and neighbourhood centres will be favoured where they are retail type services or other commercial or community related uses which add to the attractiveness and overall offer of the centre. These uses can include those which fall under use classes A2 (financial and professional services), A3 (food and drink), D1 (non-residential institutions), D2 (assembly and leisure), B1 (office uses) and sui generis uses where considered appropriate.

Managing

POLICY MG16 - TRANSPORT PROPOSALS

WALKING AND CYCLING

1. National Cycle Network Route 88 and associated local urban and rural connections #.
2. A4050 Port Road to Cardiff Airport.
3. A48 Culverhouse Cross to Bridgend.
4. Eglwys Brewis Road in conjunction with the proposed Northern Access Road, St Athan Enterprise Zone.
5. Barry waterfront to Dinas Powys.

RAIL

6. Modernisation of the valley lines.

BUS

7. A4050 Culverhouse to Cardiff Airport.
8. A48 Culverhouse Cross to Bridgend via Cowbridge.
9. Merrie Harrier Cardiff Road Barry to Cardiff via Barry Road.
10. Leckwith road, Llandough to Cardiff.
11. Lavernock Road to Cardiff via the barrage.
12. Bus park and ride at Cosmeston Penarth.

HIGHWAYS

13. Barry Island link road.
14. Northern access road (St Athan enterprise zone).
15. Gileston - Old Mill B4265.
16. Improvements to the A4226 between Waycock Cross, Barry and Sycamore Cross, A48 (Five Mile Lane).
17. Cross Common Road junction improvements.
18. North of A48, Bonvilston Road improvements.
19. Link Road between A48 and Llantwit Major Road, Cowbridge.

INTERCHANGES

20. Barry Dock Station bus interchange.

HIGHWAY IMPROVEMENT WORKS

In addition, to mitigate the impact of development on the highway network, highway improvement works in the form of corridor or junction improvement schemes will be required.

- NCN Route 88 shown on the LDP Proposals Map is indicative and subject to further detailed feasibility work unless otherwise indicated as confirmed routes.

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Plan. Proposals affecting green wedges, special landscape areas and the Glamorgan Heritage Coast will be considered against policies MG18, MG17 and MG27 respectively.

- 7.4 New development will be expected to avoid unnecessary flood risk and to meet the requirements of TAN 15: Development and Flood Risk. No highly vulnerable development will be permitted within Development Advice Map (DAM) Zone C2²⁴ and development will only be considered in areas at risk of flooding where it can be demonstrated that the site can comply with the justification and assessment requirements set out in TAN 15.

POLICY MD2 - DESIGN OF NEW DEVELOPMENT

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;**
- 3. Where appropriate, provide new or enhanced areas of public realm particularly in key locations such as town centres, major routes and junctions;**
- 4. Promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour. In the case of retail centres, developments should provide active street frontages to create attractive and safe urban environments;**
- 5. Provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users;**
- 6. Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;**
- 7. Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;**
- 8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;**
- 9. Provide public open space, private amenity space and car parking in accordance with the council's standards;**
- 10. Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;**
- 11. Provide adequate facilities and space for the collection, composting and recycling of waste materials and explore opportunities to incorporate re-used or recyclable materials or products into new buildings or structures; and**
- 12. Mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.**

- 7.5 Policy MD2 sets out the key principles that developers should consider in respect of design, amenity and access which together contribute to attractive, safe and accessible environments. Safeguarding the local character of the Vale of Glamorgan's towns and villages is reliant on securing high quality

Managing Development in the Vale of Glamorgan

design that is of the appropriate scale and form in the right location. Equally, the layout and design of new development is essential for improving resident's quality of life, creating a sense of place and ensuring a healthy and safe environment.

- 7.6 All development proposals will be required to fully consider the context and character within which the development proposal is located so as to ensure that it contributes positively to the local setting including important views and vistas. Issues associated with safeguarding residential amenity should also be addressed during the design process especially where mixed use developments are proposed. Solutions to problems such as overlooking and noise can often be overcome by good design. All new buildings should respond positively to and respect their surroundings and contribute towards healthy and vibrant communities, reducing the fear of crime and creating a sense of place. In this regard developments must be of an appropriate scale, density and design for their location and make a positive contribution to the local environment. Further guidance will be provided in the Householder Design Guide Supplementary Planning Guidance.
- 7.7 Key locations, such as town centres and main routes/junctions that serve new developments, present opportunities for enhancing public realm and reinforcing a sense of place through the use of sensitive landscaping and public art. In all shopping centres, the Council will require well designed shop fronts which will enhance the area and add to its local distinctiveness.
- 7.8 All new development should be highly accessible. Walking and cycling have an important role to play in the management of movement across the area, particularly reducing the number of short trips taken by car. Developers will be required to ensure that new developments encourage walking and cycling by giving careful consideration to location, design, access arrangements, travel 'desire lines' through a development, and integration with existing and potential off-site links. Providing safe and convenient walking and cycling environments will help tackle health problems associated with physical inactivity and social exclusion factors arising from car dependency, poor access to services and public transport facilities.
- 7.9 The provision of car parking is a major influence on the choice of means of transport and the pattern of development. The Council will seek to restrict developments that generate a high level of trips (e.g. offices, shops and leisure uses) to locations well served by public transport. Moreover, provision for parking will be reduced in line with improvements to public transport accessibility. The Council's standards are set out in the Parking Standards Supplementary Planning Guidance.
- 7.10 As well as ensuring healthy and active environments consideration should also be given to the impact on the health and wellbeing of future users in the design of buildings, use of materials and access to light and quiet areas. The provision of features or the shared use of community facilities for health care needs which enable people to retain their independence and remain in the local community will be favoured where considered appropriate.
- 7.11 The Welsh Government promotes the widespread adoption of travel plans by businesses, schools, hospitals, tourist attractions, major residential developments and other significant travel-generating uses. These assist with the efficient management of the highway network and promote alternative modes of transport. The need for a travel plan will be identified early on as part of the pre-application process or scoping discussions with the Council, and will be the subject of Supplementary Planning Guidance.

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- 7.12 To meet the goal of achieving sustainable development, proposals need to make appropriate provision for reducing and recycling waste in accordance with the waste hierarchy. Encouraging energy conservation and generation from renewable sources is one measure by which the planning system can make a positive contribution towards reducing the impact of new development on climate change. The design of new developments must address the need to reduce energy consumption and maximise opportunities for low carbon energy generation. Developers should consider measures to help reduce effects related to climate change, for example by incorporating green space to provide shading and sustainable drainage systems to reduce run-off, incorporating renewable energy generation into the fabric of buildings or designs which prevent overheating to avoid the need for artificial cooling of buildings.
- 7.13 It is a statutory requirement that certain applications for planning permission and listed building consent are accompanied by a Design and Access Statement (DAS)²⁵. Where required, a Design and Access Statement should explain how proposals can contribute positively to reducing the fear of crime and creating a sense of place. The level of detail in the statement should be proportionate to the complexity of the proposal but should contain sufficient detail to explain how the development addresses any factors relevant to the scale and type of development proposed.
- 7.14 Larger residential and commercial schemes present an opportunity to deliver developments that create a sense of place, provide an accessible and healthy environment, and reinforce or enhance existing urban areas. In order to ensure the creation of high quality public spaces, the Council may require promoters of allocated and unallocated sites to prepare a master plan. As part of the master planning exercise developers will be required to demonstrate that they have had regard to all of the requirements of Policy MD2.

POLICY MD 3 - PROVISION FOR OPEN SPACE

Where there is an identified need for public open space, new residential development with a net gain of 5 or more dwellings will be required to provide public open space in accordance with the following standards:

- 1. Outdoor sports provision 1.6 hectares per 1,000 population**
- 2. Children's equipped play space 0.25 hectares per 1,000 population**
- 3. Informal play space 0.55 hectares per 1,000 population**

Where there is an identified need for public open space provision, major new commercial developments, where floorspace to be created exceeds 1000 sqm or the site is 1 hectare or more, will be required to provide public open space at a ratio of 16 sqm per full time equivalent employee.

In order to create sustainable places areas of open space will usually be required to be provided on-site as part of new development proposals. Where it is not practical or desirable to make provision on-site, appropriate off-site provision or financial contributions for improvements to existing facilities will be required in lieu of on-site public open space.

- 7.15 Planning Policy Wales (PPW) directs that the development plan should contain clear policies for the provision, protection and enhancement of sport, recreation and leisure facilities. Standards of

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- The delivery of affordable housing to meet local need (LDP Objectives 1 & 7 refer).
- Infrastructure required to satisfy the Council's aim of delivering high quality developments that bring environmental and other benefits to the Vale of Glamorgan (LDP Objectives 1, 4, 6, 9 & 10 refer) e.g. public art; environmental protection and enhancement; town centre regeneration; pollution management; historic renovation; recycling and waste facilities.

7.32 This categorisation should only be relevant where the developer has demonstrated that the development cannot deliver all of the Council's planning obligation requirements because of viability constraints. The Council has undertaken a viability assessment of the Plan's planning obligation and affordable housing requirements and in most circumstances developers will be expected to meet all the requirements set out in Policy MD4.

POLICY MD5 - DEVELOPMENT WITHIN SETTLEMENT BOUNDARIES

Settlement boundaries have been defined around all the settlements within the LDP settlement hierarchy. New development within these settlements will be permitted where the proposed development:

- 1. Makes efficient use of land or buildings;**
- 2. Would not prejudice the delivery of an allocated development site;**
- 3. Is of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality;**
- 4. The proposal 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;**
- 5. Would not result in the unacceptable loss of public open space, community or tourism buildings or facilities;**
- 6. Has no unacceptable impact on the amenity and character of the locality by way of noise, traffic congestion and parking; and**
- 7. Makes appropriate provision for community infrastructure to meet the needs of future occupiers.**

7.33 Settlement boundaries have been drawn around the settlements of the Vale of Glamorgan identified in the LDP hierarchy which are considered capable of accommodating additional development during the Plan period. The boundaries define the settlements within which new development will be permitted encouraging the re-use of land and buildings and preventing the spread of new development in the open countryside. Accordingly to protect the identity of these settlements, to ensure the efficient use of land and to protect the countryside from urbanisation and incremental loss, development will only be permitted outside of the identified settlement boundaries where it complies with national planning policy set out in paragraph 9.3.2 of PPW. Such developments would also need to respond appropriately to the local context and accord with Policies MD1 and MD2.

7.34 It is recognised that these settlements are likely to contain unallocated or "windfall" sites (either previously developed or infill sites) which could accommodate new development over and above those sites that have been allocated in Policy MG2 and which can make an important contribution to the housing land bank and the objectives of the LDP. Such developments will be expected to accord with Policy MD6 in respect of housing density and achieving best use of available land.

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- 7.35 Where proposals involve the loss of open space, community or tourist facilities the Council will require robust evidence that demonstrates the facilities are no longer required or such a loss would not have a detrimental impact upon local service provision. For the purposes of the Policy, Community Facilities are as defined in the Glossary of Terms at Appendix 1. Development proposals will therefore need to be supported by evidence which demonstrates that community buildings or facilities are either no longer required for their original purpose or, in the case of commercial enterprises, no longer economically viable. Statements of justification could include evidence that alternative provision is available within close proximity to the proposal site, the use of which is preferable to that which would be lost and satisfies local needs.
- 7.36 The inclusion of land within a settlement boundary, however, does not automatically imply its suitability to accommodate development and Policy MD5 provides a framework for the development of such sites ensuring that where they are promoted, they are appropriate to their surroundings. The Council would resist the development of a site that would prejudice the delivery of an allocated development site, for example by blocking vehicular access through to an allocated site, introducing a use that would adversely affect amenity on an allocated site; or undermining its delivery by placing pressure on existing infrastructure needed to serve a proposed allocation.

POLICY MD6 - HOUSING DENSITIES

Residential development proposals within the key, service centre and primary settlements will be permitted where the net residential density is a minimum of 30 dwellings per hectare. In minor rural settlements, a minimum net residential density of 25 dwellings per hectare will be required.

Lower density levels will only be permitted where it can be demonstrated that:

- 1. Development at the prescribed densities would have an unacceptable impact on the character of the surrounding area;**
- 2. Reduced densities are required as a result of significant site constraints or to preserve a feature that would contribute to existing or future local amenity; or**
- 3. The proposal is for a mixed use development where a residential use is the subordinate element of the proposal.**

Higher densities will be permitted where they reflect the character of the surrounding areas and would not unacceptably impact upon local amenity.

- 7.37 New residential development within the Vale of Glamorgan will seek to use land efficiently, providing dwellings that meet current housing needs whilst protecting land for future generations. A minimum residential density of 30 dwellings net per hectare will therefore be required for new residential development within the key, service centre and primary settlements of the Vale of Glamorgan. Within the minor rural settlements of the Vale of Glamorgan new residential development at a lower density of 25 dwellings net per hectare will be permitted. This reflects the sensitive nature of many rural villages and the character of existing built form.
- 7.38 Net developable area includes only those areas which will be developed for housing and directly associated uses such as access roads within the site, private garden space, car parking areas, incidental open space and landscaping, and children's play areas where these are to be provided.

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Council considers that a development proposal would lead to unacceptable pollution, or make an existing problem worse, then planning permission will not be granted.

- 7.41 Policy MD7 follows the precautionary approach and the Council encourages developers to assess any impact at the earliest stage so that development proposals reduce any impact present to an acceptable level. Where development is permitted conditions will be attached to the approval to minimise any potential pollution levels and where appropriate monitor the effects of the development.
- 7.42 The Vale of Glamorgan is covered by 2 Shoreline Management Plans (SMP). These have been prepared to consider the potential long term impact of increased sea levels as a consequence of climate change. The SMPs identify general policies and actions for managing change along the coastline. In developing the LDP the Council has used the SMPs to inform site allocations so as to ensure that future development proposals do not conflict with the longer term plans contained within the SMP. Policy MD7 is consistent with this approach by requiring that proposals within coastal locations include appropriate measures to avoid increasing coastal erosion and mitigate potential flooding.
- 7.43 The purpose of this Policy is to avert development from where it would be at risk from river, ordinary watercourse, coastal, surface water flooding or where it would increase the risk of flooding or additional run off from development elsewhere. The Policy will help deliver LDP objectives relating to flood risk and reflects advice set out in PPW and Technical Advice Note 15: Development and Flood Risk (July 2004). Avoiding unnecessary flood risk will be achieved by strictly assessing the flood risk implications of development proposals within areas susceptible to tidal or fluvial flooding and preventing development that unacceptably increases risk. In accordance with TAN15: Development and Flood Risk, no highly vulnerable development will be permitted in development advice zone C2. Development will only be considered in other areas at high risk of flooding where it can be demonstrated that the site can comply with the justification and assessment requirements of TAN15 (2004 – Section 6, 7 and Appendix 1)".

POLICY MD8 - HISTORIC ENVIRONMENT

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;**
- 2. For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance it possesses;**
- 3. Within designated landscapes, historic parks and gardens, and battlefields, development proposals must respect the special historic character and quality of these areas, their settings or historic views or vistas;**
- 4. For sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings.**

- 7.44 The historic environment is a significant, but finite, resource. With sensitivity and imagination, it can be a stimulus to creative new architecture and design, a basis for regeneration and make a powerful contribution to people's quality of life.

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- 7.45 The historic environment embraces many features: buildings, structures, monuments, remains, archaeological sites, gardens, parks, landscapes and their settings. Appendix 10 provides details of Listed Buildings, Conservation Areas, Local Listed County Treasures, Parks and Gardens of Special Historic Interest in Wales, Landscapes of Outstanding Interest in Wales and Scheduled Monuments. National legislation²⁹ and planning policy,^{30,31} indicates that all of these facets of the historic environment should be protected. The preservation and enhancement of the historic environment, including the settings of historic assets, is a key aspect of the Council's wider responsibilities, and will constitute a material consideration of significant weight when determining applications affecting such assets.
- 7.46 In the Vale of Glamorgan there are 39 Conservation Areas which make a significant contribution to the attractiveness of the Vale, having been designated not on the basis of individual buildings but because of the overall quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of buildings and open spaces. The Council has prepared detailed appraisals for each of its designated conservation areas, which define their special character and guidelines for development and enhancement schemes, and have been adopted by the Council as Supplementary Planning Guidance in support of the policies of the LDP.
- 7.47 The Vale of Glamorgan has in excess of 740 Listed Buildings, whose special architectural or historic interest is protected by the need to obtain Listed Building Consent under the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990. The setting of such buildings, however, is often critical to the character of the building, and can be restricted to its immediate site or extend to a much wider area. It is therefore essential that any development proposals demonstrate that they have had regard to the need to preserve or enhance the building and its setting.
- 7.48 In partnership with the wider Community, the Council has identified buildings and structures within the Vale of Glamorgan considered as having special local architectural or historic interest. These 'County Treasures' are of significance to the local community and contribute to the environmental and cultural heritage of the County. Although not of national importance required to merit statutory listing, their local value deserves preservation and regard must therefore be given to the need for development proposals to protect such assets from insensitive development which individually and cumulatively can harm local character. Further advice on development affecting locally listed County Treasures has been prepared and is set out in a Supplementary Planning Guidance document³².
- 7.49 The Vale of Glamorgan has considerable archaeological and historical interest. Glamorgan-Gwent Archaeological Trust curates the authority's Historic Environment Record. Archaeological features can have a considerable bearing on the feasibility of development proposals. Where archaeological remains are known or understood to be present, an archaeological field evaluation should be undertaken at the earliest opportunity and submitted as part of planning application. Where a development proposal affects an important archaeological site or its setting, there will be a presumption in favour of physical preservation of the remains, regardless of whether or not the site is a Scheduled Monument. Where development is permitted, remains should be preserved and sensitively incorporated into the development scheme or removed for preservation off site, where appropriate, in accordance with advice from Glamorgan-Gwent Archaeological Trust.
- 7.50 Policy MD8 seeks to ensure that the unique built and historic environment of the Vale of Glamorgan is protected and enhanced. 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.

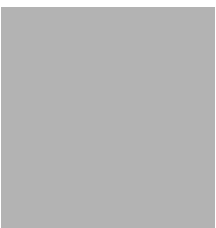
²⁹Planning (Listed Buildings and Conservation Areas) Act, 1990 and Historic Environment (Wales) Act 2016

³⁰Planning Policy Wales Edition 9 Section 6

³¹Technical Advice Note 24 – The Historic Environment (2017)

³²Vale of Glamorgan County Treasures SPG (March 2009)

QUESTION 21



**QUESTION
21**



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