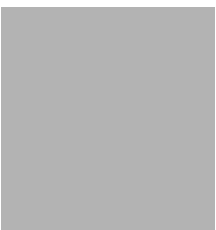


QUESTIONNAIRE



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:		N:

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		Phone no.	
E-mail			

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

[Redacted box]

- 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

[Redacted box]

- 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: [Redacted box]

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

Completed by [Redacted box]

On behalf of [Redacted box]

Date Sent [Redacted box]

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: 2019/00656/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: Mr John Hawkins

Proposal/Cynnig: Proposed construction of 2 x 1 bed units with onsite parking

Location/Lleoliad: Land at Romilly Park Road, Barry

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 2019/00656/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 **2019/00656/FUL**.

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

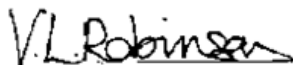
- cais
- cynllun
- dogfennau eraill a gyflwynwyd gyda'r cais

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 2019/00656/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 «**2019/00656/FUL**»

Dated/Dyddiad: 17 July 2019



Operational Manager Development Management
Rheolwr Gweithredol Datblygiad a Rheoli Datblygu

QUESTION22a

Date/Dyddiad: 26 February 2020
Ask for/Gofynwch am: Mrs. Lisa Chichester
Telephone/Rhif ffon: (01446) 704691
My Ref/Cyf: P/DC/LMC/2019/00656/FUL
e-mail/e-bost: LMChichester@valeofglamorgan.gov.uk

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
Ffôn: (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: 2019/00656/FUL
Planning Inspectorate Reference: APP/Z6950/A/20/3246337
Appeal Start Date: 21 February 2020
Site: Land at Romilly Park Road, Barry
Proposal: Proposed construction of 2 x 1 bed units with onsite parking
Appeal by: Mr John Hawkins

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.

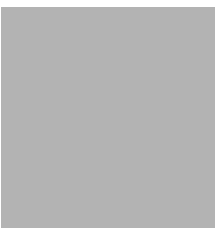
Any written comments that you may have already submitted on the planning application have been forwarded to the Planning Inspectorate and copied to the appellant and will be taken into account by the Inspector in determining the appeal. Should you wish to withdraw any previous comments you must notify the Planning Inspectorate by 20 March 2020. 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/20/3246337**. You can also make your representations on-line at <https://acp.planninginspectorate.gov.uk/>. Such comments must be submitted no later than **20 March 2020**. 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 Helen Davies on 01446 704651, or Mrs. Lisa Chichester, on 01446 704691.

Yours faithfully

Victoria Robinson
Operational Manager Development Management

QUESTION 22b



QUESTION
22b

Appeals Notifications Distribution List

Appeal Reference: 20/3246337

Name: Address: Date Sent:
26/02/2020

The Owner/Occupier 81 ROMILLY PARK ROAD
BARRY
CF62 6RR

The Owner/Occupier GROUND FLOOR FLAT
SHERWOOD
ROMILLY PARK ROAD
BARRY
CF62 6RN

Mrs M E Rees Linthorpe
Romilly Park Road
Barry
CF62 6RN

The Owner/Occupier PINE CROFT
ROMILLY PARK ROAD
BARRY
CF62 6RN

MRS HOPKINS ST ANNES
ROMILLY PARK ROAD
BARRY
CF62 6RN

The Owner/Occupier TOP FLOOR FLAT
SHERWOOD
ROMILLY PARK ROAD
BARRY
CF62 6RN

Barry Town Council By email

GGAT By email

Councillor Wiliam By email

Appeals Notifications Distribution List

Appeal Reference: 20/3246337

Name:

Address:

Date Sent:
26/02/2020

Councillor Hodges

By email

Welsh Water

By email

Network Rail

By email

QUESTION 22c

Rees, Gail

From: Charlotte Hopkins [REDACTED]
Sent: 18 July 2019 21:23
To: Planning
Subject: Application 2019/00656/FUL

Dear Mr Robinson ,
Regarding land at Romilly park road and the application for 2x1 bedroom units.

I would like to disagree with the planning application.

Two x 1 bedroom units is not in keeping with the current housing in this area.

It will infringe on our privacy .

Parking is becoming a problem already. Two further dwellings will increase this. Onsite parking is proposed, however it is likely that two sets of residents may have up to four cars outside this property .

Has the minimum space for an individual dwelling been considered?

Proximity to the line and railway lights, has this been checked?

I look forward to response.

Kind regards

Mrs Hopkins St Anne's Romilly Park Road .

Linthorpe
Romilly Park Road
Barry
CF62 6RN

Vale of Glamorgan Council
Planning Department
Dock Office
Barry
CF63 4RT

3 July 2019

F.A.O. Mr. Shafqut Zahoor

Dear Sir

Application No. 2019/00656/FUL

I wish to register my objection to the above application on the basis that it is an excessive development on such a small plot of land.

I also believe that the design access statement has an erroneous statement when indicating in the planning history that in 2014 planning permission was granted to build **five** properties.

At a site meeting held in 2014 where members of the planning committee and a representative of the planning department met with concerned neighbours we were told by the planning department representative that the applicant had been told that permission would not be granted for so many properties as this was an excessive development on the available land. We were advised at the meeting if permission was to be granted it would be for only four properties and this has been the case after years of disturbance and interruption.

However, the house nearest my home (indicating number 81 at the front door) has not yet been completed with a low boundary wall and two off road parking spaces on the final eastern boundary as indicated in the plans we were shown in 2014. Instead a high wooden fence has been built around lawn with the remaining small piece of land to the eastern end of the plot remaining as rough ground.

The current application would appear to be taking some, if not all, of the land behind the wooden fence at number 81 to make a further building for two flats and leading me to speculate that the building of five properties on land adjacent to 77 Romilly Park Road was always the intention despite the planning department's advice in 2014.

Yours faithfully



M E Rees (Mrs)



QUESTION22d

Comment for planning application 2019/00656/FUL

Application Number	<input type="text" value="2019/00656/FUL"/>
Location	<input type="text" value="Land at Romilly Park Road, Barry"/>
Proposal	<input type="text" value="Proposed construction of 2 x 1 bed units with onsite parking"/>
Case Officer	<input type="text" value="Mr. Shafqut Zahoor"/>
Organisation	<input type="text"/>
Name	<input type="text" value="Mrs Emily Forbes"/>
Address	<input type="text" value="Barry Town Council, 7, Gladstone Road, Barry, CF62 8NA"/>
Type of Comment	<input type="text" value="Objection"/>
Type	<input type="text" value="Other"/>
Comments	<input type="text" value="Other type details: Statutory Consultee. Comment: Barry Town Council objects to the proposal for the following reasons: - -The development fails to comply with the Council's Supplementary Planning Guidance document; Residential and Householder Development - The proposal is an overdevelopment of the site that would adversely impact upon the character of the area - The development could cause road/highway safety issues - Insufficient amenity space"/>
Received Date	<input type="text" value="10/07/2019 12:17:46"/>
Attachments	



Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00656/FUL
Observations By:	Tony Godsall
Date:	2 August 2019
Location:	Land at Romilly Park Road, Barry
Proposal:	Proposed construction of 2 x 1 bed units with onsite parking
Case Officer:	Mr. Shafqut Zahoor

Further to a recent site inspection carried out in relation to the above application, the Highway Authority would advise the Local Planning Authority that there are no objections to the proposals in principle subject to the following conditions being satisfied in the interest of highway / public safety and the free flow of traffic along the adopted highway.

1. The proposed vehicular crossover shall be completed in materials approved by the Local Planning / Highway Authority prior to commencement of works.
Reason :- To ensure a minimum standard of construction in the interests of highway safety.
2. The proposed individual vehicular accesses shall incorporate and maintain thereafter a minimum vision splay of 43m x 2m in both directions along the Romilly Park Road together with a 2m x 2m vision splay on either side of the proposed vehicular.
Reason :- In the interest of highway / Public Safety.
3. No boundary, walls, fencing, gates or Planting shall be erected or planting adjacent to the adopted highway shall exceed 600mm in height in order to provide and maintain un-obstructed visibility splays in both directions along the adopted highway in the interest of highway / public safety.
Reason :- In the interest of highway / Public Safety.
4. Provide and maintain within the confines of the individual plots a minimum of one number parking bay for each unit in accordance with the Councils Parking

Standards, which shall be surfaced in a bound material to be agreed by the Local Planning Authority prior to beneficial occupation.

Reason :- To ensure a minimum standard of parking when the development is brought into use and in the interest of Highway / Public Safety.

5. Unless otherwise agreed with the Local Planning Authority the gradient of any proposed vehicular access / driveways serving the individual plots shall not exceed 5 % (1:20 for the first 6m and thereafter shall not be steeper than 12.5% (1 in 8).
Reason :- To ensure design standards are achieved in the interests of highway / public safety.
6. No gates whatsoever shall be located and fitted to open out over the adopted highway in the interest of highway / public safety. (All gates shall open inwards)
Reason :- In the interest of highway / Public Safety.
7. No gates shall be greater than 600mm in height to maintain the required vision splays in the interest of highway / public safety.
Reason :- In the interest of highway / Public Safety.
8. No surface, roof water or other deleterious material from the site shall discharge or migrate onto the adopted highway. Applicant to make provisions to deal with the above within the confines of the site.
Reason :- In the interest of highway Safety and environmental management.
9. No materials whatsoever shall to deposited or stored within the limits of the adopted highway in the interest of highway / Public safety and the free flow of traffic along the adopted highway.
Reason :- In the interest of highway / Public Safety and the free flow of traffic along the adopted highway.
10. The applicant shall provide for approval by the Local Planning Authority details of any retaining structures adjacent to or retaining the adjacent adopted highway (footway) for approval prior to any works commencing on site.
Reason :- In the interest of highway / Public Safety.

ADVISORY INFORMATION

(a) The applicant is to be advised by the Local Planning Authority that any works immediately adjacent to or within the limits of the adopted highway will require authorisation from the Local Highway Authority. The applicant is required to contact Mr Peter Coughlan on 02920 – 673051 for permission to work within the limits of the adopted Highway and to agree the precise location of the vehicular crossover and to agree construction details.





Our ref: A57663/JBHD

ARCHAEOLOGICAL PLANNING

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

10th July 2019

FAO: Shafqut Zahoor

Dear Sir

**Re: Proposed Construction of 2 x 1 Bed Units with Onsite Parking:
Land at Romilly Park Road, Barry.
Pl.App.No.: 2019/00656/FUL.**

Thank you for consulting us regarding this application; consequently, we have reviewed the detailed information contained on your website.

Information in the Historic Environment Record shows that the site is located in the area of Barry that is some 150m from the Medieval core and 0.5km from the known Roman courtyard building. The HER also notes that finds, including human remains, ranging in date from, and including, prehistoric, Roman and Medieval have been recovered from the vicinity.

You may recall that we have previously recommended archaeological mitigation work for developments at this site, and an archaeological watching brief was undertaken in 2015 by Cardiff Archaeological Consultants (July 2015, reference 2015-08); this showed no significant archaeological deposits or finds. The area was likely to have been formed from 19th / 20th century made ground and dumped material, possibly resulting from railway construction works at its location at a point where the adjoining railway lines are level with the road, as they form a cutting to the north and an embankment to the south.

The current application area was included in the area of the watching brief, and it is our opinion that it is unlikely that the work would encounter any archaeological features, and we do not make any recommendation for archaeological mitigation. As the archaeological advisors to your Members, we do not have any objection to the positive determination of this application.

If you have any questions or require further advice on this matter, please do not hesitate to contact us.

Yours faithfully

Judith Doyle BA MBA MCIfA
Archaeological Planning Officer

The Glamorgan-Gwent
Archaeological Trust
Limited

Heathfield House
Heathfield
Swansea
SA1 6EL

Tel: (01792)655208
Fax: (01792)474469
www.ggat.org.uk

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without share capital

Registered charity
No. 505609



From: Robinson Sonny [REDACTED]
Sent: 18 July 2019 15:18
To: Planning
Subject: RE: Planning Application Consultation 2019/00656/FUL Land at Romilly Park Road, Barry

Good Afternoon,

Thank you for the consultation letter for the above application. Having reviewed the proposal we have no objection in principle, however would request the following standing advice is considered in your determination, and is forwarded to the applicant for their attention.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land to the public mains system. Soakaways are not acceptable where the following apply:

- a) Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- b) Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- c) Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.

In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works. The initial point of contact is assetprotectionwales@networkrail.co.uk. The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land or structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then they must seek approval from Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

NOISE

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Kind regards,

Sonny Robinson
Town Planner W&W | Network Rail Property



-----Original Message-----

From: Vale of Glamorgan Council Development Services <Planning@valeofglamorgan.gov.uk>
Sent: 26 June 2019 10:45
To: Town Planning Western <TownPlanningWestern@networkrail.co.uk>
Subject: Planning Application Consultation 2019/00656/FUL Land at Romilly Park Road, Barry

Please find attached a letter regarding a planning application submitted to the Vale of Glamorgan Council. If this is a consultation letter, please respond to this consultation through the link provided in the attached letter. Please note that your comments may be made available online for interested persons to view.

The content of this email (and any attachment) is confidential. It may also be legally privileged or otherwise protected from disclosure.

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office Network Rail, 2nd Floor, One Eversholt Street, London, NW1 2DN

Rees, Gail

From: South East Planning [REDACTED]
Sent: 28 June 2019 08:16
To: Planning
Subject: F.A.O. Shafqut Zahoor - 2019/00656/FUL - Land at Romilly Park Road, Barry (Minor)
- NRW Response NRW:01201809

Dear Mr Zahoor

Thank you for consulting Natural Resources Wales on the above application.

We have reviewed the planning application submitted to us, and from the information provided we do not consider that the proposed development affects a matter listed on our Consultation Topics, *Development Planning Advisory Service: Consultation Topics* (September 2018): <https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/our-role-in-planning-and-development/?lang=en>. We therefore do not have any comment to make on the proposed development.

Please note that our decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

We trust that the above comments are of assistance however, should you have any queries, please do not hesitate to contact me.

Kind Regards
Andrew Hurst

•
Tîm Cynllunio Datblygu/Development Planning Team
Cyfoeth Naturiol Cymru/Natural Resources Wales

Ffôn/Tel: 03000 653074

www.cyfoethnaturiolcymru.gov.uk/www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy/Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi/Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

COFNOD / MEMORANDUM

I / To:	Mr. Shafqut Zahoor	Oddi Wrth / From:	D Margetson
Adran / Dept:	Planning Department	Ein cyf / Our ref:	SRS/E/DMM /2019/00656/FUL
Dyddiad / Date:	26th June 2019	Ffôn / Tel:	03001236696
Eich Cyf / Your Ref:	P/DC/LC/SZ/2019/00656/FUL	Ebost / Email:	EnvPlan-SRSWales@valeofglamorgan.gov.uk

SUBJECT: PLANNING APPLICATION NO: 2019/00656/FUL: LAND AT ROMILLY PARK ROAD, BARRY; PROPOSED CONSTRUCTION OF 2 X 1 BED UNITS WITH ONSITE PARKING

Further to receipt of the above accepted planning applications, I would like to provide comments in relation to potential contamination issues on behalf of SRS: Environment Team:-

In reviewing available records and the application for the proposed development, the site has been identified as a vacant plot adjacent railway infrastructure. Contamination is not known at this site, however the potential for this cannot be ruled out. I therefore request the use of the 'unforeseen contamination' condition.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Consequently, the inclusion of conditions to ensure the use of suitable materials is requested.

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:

CONDITIONS

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning

COFNOD / MEMORANDUM

Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC15A IMPORTED SOIL

Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

PC15B IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

COFNOD / MEMORANDUM

ADVISORY/INFORMATIVE

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

Environment Team
Shared Regulatory Services
Bridgend, Cardiff & the Vale of Glamorgan

Vale of Glamorgan County Council
Dock Office
Holton Road
Barry Docks
Barry
CF63 4RT

Date: 04/07/2019
Our Ref: PLA0043261
Your Ref: 2019/00656/FUL

Dear Sir

Grid Ref: 310358 166797

Site: Land at Romilly Park Road, Barry, Vale of Glamorgan

Development: Proposed construction of two 1 bed units with onsite parking

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

SEWERAGE

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Vale of Glamorgan Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. Notwithstanding this, the submitted application form indicates proposals to dispose surface water flows into the main sewer, which comprises a combined sewerage system in the local area, and we would advise there is no agreement to communicate surface water flows into this public sewer.

Accordingly, if you are minded to grant Planning Consent for the above development, we would request that the following **Condition and Advisory Notes** are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Condition

No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Vale of Glamorgan Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com



Please quote our reference number in all communications and correspondence.

Yours faithfully,



Sion Jones
Development Control Officer
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae D•r Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

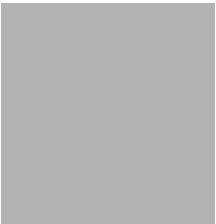
We welcome correspondence in
Welsh and English

D•r Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

D•r Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

QUESTION22e



Mr John Hawkins c/o Agent
Mrs Arran Dallimore C2J Architects & Town Planners, Unit 1a, Compass
Business Park, Pacific Road, Ocean Park, Cardiff, CF24 5HL

Land at Romilly Park Road, Barry

Proposed construction of 2 x 1 bed units with onsite parking

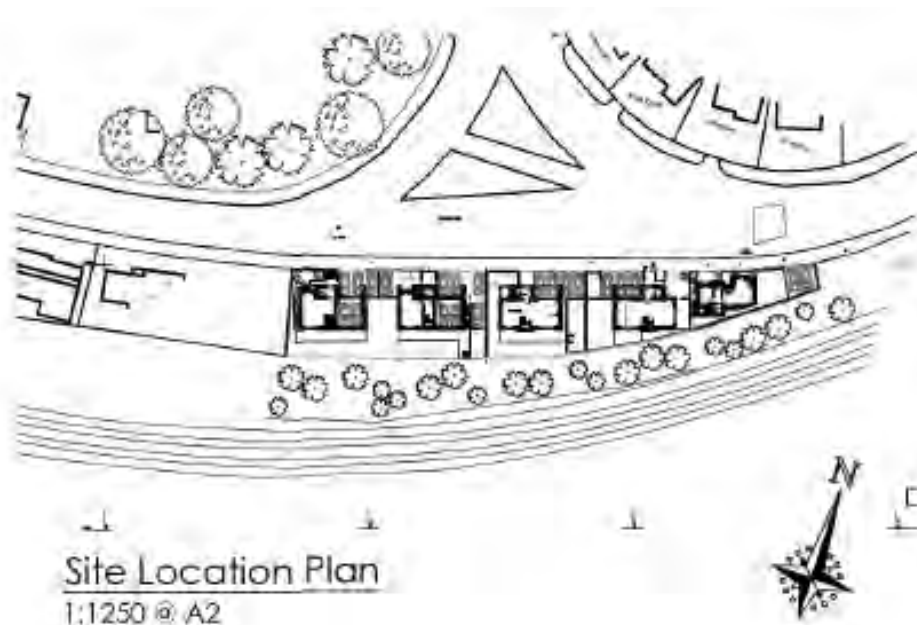
SITE AND CONTEXT

The application site relates to a side garden of a recently constructed dwelling located on Romilly Park Road, Barry. The application site is located within the Barry settlement boundary but outside any conservation area designation.

The dwelling located at the application site and the adjoining 3no dwellings to the west were granted planning permission under reference 2014/00071/FUL. The surrounding area is residential in nature with large detached modern dwellings located to the west and more traditional properties opposite the site to the north.

The site is adjoined to the rear by a railway and is located to the north east of Rommily Park, a CADW grade II Listed park.

The plan below shows the application site in its context:



DESCRIPTION OF DEVELOPMENT

The application proposes the construction of a proposed two storey flat roof building incorporating 2no one bedroom flats. The proposal includes 2no off road parking spaces and a shared amenity area.

The proposed scale and finish of the proposed development would match that of the adjoining dwellings, finished mainly in facing brick and render with grey powdercoated windows and doors.



PLANNING HISTORY

1992/01016/FUL : Four dwellings. Refused and appeal dismissed.

The above application was refused due to the proximity of the railway track and the noise generated by passing trains. The appeal was dismissed for the same reasons.

1994/00824/OUT, Address: Land at Romilly Park Road, Barry, Proposal: Development of 9 no. apartments, Decision: Refused

2001/00215/FUL, Address: Plot on land at Romilly Park Road, Barry, Proposal: Detached bungalow and garage, Decision: Approved

2002/00027/FUL, Address: Land at Romilly Park Road, Barry, Proposal: Construction of detached dormer bungalow and garage, Decision: Approved

2009/00209/FUL, Address: Infill alnd to the Eastr of 77, Romilly Park Road, Barry, Proposal: Construction of 5 x New 3 - bedroom houses, comprising 4 x semi-detached, 1 x detached units, plus private off-street parking and amenity space, Decision: Withdrawn

2010/01029/FUL, Address: Infill land to the east of 77, Romilly Park Road, Barry, Proposal: Construction of two new five bedroom detached family dwellinghouses with integral double garages, private driveways and walled gardens, Decision: Approved

2012/00192/FUL, Address: Land adjacent to 77, Romilly Park Road, Barry, Proposal: Proposed construction of 2 No. detached dwellings with access, on site parking and amenity facilities, Decision: Approved

2014/00071/FUL, Address: 77, Romilly Park Road, The Knap, Barry, Proposal: Proposed construction of four dwellings with access, on site parking and amenity facilities, Decision: Approved

2014/00071/1/NMA, Address: 77, Romilly Park Road, Barry, Proposal: Non-Material Amendment -Minor changes to landscaping/boundary wall treatment. Planning Permission ref. 2014/00071/FUL : Proposed construction of four dwellings with access, on site parking and amenity facilities, Decision: Withdrawn

2015/01226/FUL, Address: Land at Romilly Park Road, Barry, Proposal: Variation of conditions 2 and 10 and removal of conditions 17, 18 and 19 of planning permission 2014/0071/FUL, Decision: Approved

2015/01226/1/CD, Address: Romilly Park Road, Barry, Proposal: Discharge of Conditions 6 - Means of enclosure, 9 - Materials, 10 - Drainage, 11 - Finished levels, 12 - Archaeology and 17 - Windows. Variation of Conditions 1 and 10 and removal of Conditions 17, 18 and 19 of Planning Permission 2014/00071/FUL, Decision: Approved

2015/01226/2/CD, Address: Romilly Park Road, Barry, Proposal: Discharge of condition 13 - Variation of conditions 2 and 10 and removal of conditions 17, 18 and 19 of planning permission 2014/0071/FUL, Decision: Approved

2015/01226/FUL, Address: Land at Romilly Park Road, Barry, Proposal: Variation of conditions 2 and 10 and removal of conditions 17, 18 and 19 of planning permission 2014/0071/FUL, Decision: Approved

CONSULTATIONS

Barry Town Council was consulted on 26 June 2019. A response received on 10 July 2019 states THAT: Barry Town Council objects to the proposal for the following reasons:-

- The development fails to comply with the Council's Supplementary Planning Guidance document- Residential and Householder Development.
- The proposal is an overdevelopment of the site that would adversely impact upon the character of the area.
- The development could cause road/highway safety issues.
- Insufficient amenity space

Highway Development was consulted on 26 June 2019. A response received on 02 Aug 2019 states no objection in principle to the proposal subject to conditions.

Shared Regulatory Services (Environment) were consulted on 26 June 2019. A response received on 26 June 2019 requests conditions be imposed relating to unforeseen contamination.

Shared Regulatory Services (Neighbourhood) were consulted on 26 June 2019. No response was received at the time of writing this report.

Glamorgan Gwent Archaeology Trust were consulted on 26 June 2019. A response received on 10 July 2019 states that the site was included in the area of the watching brief requested for planning application 2014/00071/FUL. They raise no objection to the proposal.

Baruc Ward Members were consulted on 26 June 2019. No response was received at the time of writing this report.

Dwr Cymru Welsh Water were consulted on 26 June 2019. A response received on 03 July 2019 requests conditions be imposed should planning permission be granted in relation to site drainage.

Network Rail were consulted on 26 June 2019. A response received on 18 July 2019 confirms no objection in principle, however they outlined a number of requirements relating to the operation of the railway and the protection of Network Rails adjoining land. These relate to fencing; foundations; drainage; ground disturbance; maintenance of access points; encroachment, details of any piling to be provided; excavation/earthworks; possible effects of noise, vibration, etc. from operation of the railway.

Estates (Strategic Property Estates) were consulted on 26 June 2019. No response was received at the time of writing this report.

REPRESENTATIONS

The neighbouring properties were consulted on 26 June 2019 and a site notice was also displayed on 17 July 2019. To date 2no letters of representation have been received objecting to the proposal. The objections are summarised below:

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

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD6 - Housing Densities

POLICY MD7 - Environmental Protection

POLICY MD9 - Promoting Biodiversity

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 10, 2018) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

It is stated within Chapter 3, Strategic and Spatial Choices:

3.21 Planning authorities have a role to play in the prevention of physical and mental illnesses caused, or exacerbated, by pollution, disconnection of people from social activities (which contributes to loneliness) as well as the promotion of travel patterns which facilitate active lifestyles. The planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity. This will include considering the provision of, and access to, community and health assets, such as community halls, libraries, doctor's surgeries and hospitals. Health impacts should be minimised in all instances, and particularly where new development could have an adverse impact on health, amenity and well-being. In such circumstances, where health or amenity impacts cannot be overcome satisfactorily, development should be refused.

It is stated within Chapter 6, Distinctive and Natural Places:

6.7.5 In taking forward these broad objectives the key planning policy principle is to consider the effects which proposed developments may have on air or soundscape quality and the effects which existing air or soundscape quality may have on proposed developments. Air Quality and soundscape influence choice of location and distribution of development and it will be important to consider the relationship of proposed development to existing development and its surrounding area and its potential to exacerbate or create poor air quality or inappropriate soundscapes. The agent of change principle says that a business or person responsible for introducing a change is responsible for managing that change. In practice, for example, this means a developer would have to ensure that solutions to address air quality or noise from nearby pre-existing infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable.

Understanding and Identifying the Sources of Airborne (Air and Noise) Pollution

6.7.14 Proposed development should be designed wherever possible to prevent adverse effects to amenity, health and the environment but as a minimum to limit or constrain any effects that do occur. In circumstances where impacts are unacceptable, for example where adequate mitigation is unlikely to be sufficient to safeguard local amenity in terms of air quality and the acoustic environment it will be appropriate to refuse permission.

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 11 – Noise (1997)
 10. Local planning authorities should consider whether proposals for new noise-sensitive development would be incompatible with existing activities, taking into account the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future. Such development should not normally be permitted in areas which are, or are expected to become, subject to unacceptably high levels of noise and should not normally be permitted where high levels of noise will continue throughout the night.
- Technical Advice Note 12 – Design (2016)
 - 2.6 “Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.”
 - 4.5 “In many cases an appraisal of the local context will highlight distinctive patterns of development or landscape where the intention will be to sustain character. Appraisal is equally important in areas where patterns

of development have failed to respond to context in the past. In these areas appraisal should point towards solution which reverse the trend.”

4.8 “Appraising “character” involves attention to topography; historic street patterns, archaeological features, waterways, hierarchy of development and spaces, prevalent materials in buildings or floorscape, architecture and historic quality, landscape character, field patterns and land use patterns, distinctive views (in and out of the site), skylines and vistas, prevailing uses and plan forms, boundary treatments, local biodiversity, natural and cultural resources and locally distinctive features and traditions (also known as vernacular elements).”

6.16 “The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.”

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:

- Barry Development Guidelines
- Biodiversity and Development (2018)
- Parking Standards (2019)
- Residential and Householder Development (2018)

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- BRE Guidelines: ‘Site Layout Planning for Daylight and Sunlight’ (2nd Ed.)

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

It is considered that the main issues involved in the assessment of the application are:

- Principle of the use
- Impact on visual impact, scale and design
- Parking, traffic, highway safety
- Impact on the privacy and amenity of neighbouring properties
- Impact on amenity space for the proposed flats and existing dwelling
- Noise impact on the future occupiers
- Ecological impacts
- Archaeological interest of the site
- Drainage

The planning history of the site is also considered material to this assessment.

The principle of residential development

The site is located within a predominantly residential context, within the settlement boundary of Barry. Consequently, it is considered that the principle of the development is acceptable. Policy MD6 of the LDP sets out what represents an acceptable housing density, in order to ensure the efficient and best use of land. Within Barry the policy requires a minimum of 30 dwellings per hectare and based on this site area of 0.023 hectares, the density would be 86 dwellings per hectare, which complies with the policy.

Design, layout and visual impact

Policy MD5- Development within Settlement Boundaries and the general design criteria set out in Policy MD2- Design of New Development require proposals to be of a high standard of design and respond appropriately to the scale, form and character of the neighbouring buildings, while minimising the impact upon adjacent areas. These sentiments are supported by Planning Policy Wales (Edition 10) and TAN12- Design (2016).

The site falls within an established residential area with the immediate streetscene comprising of predominantly detached dwellings with significant separation set back from the adopted footpath and spacious plots/gardens. The proposal seeks to subdivide the existing plot leaving a small area of amenity space to the side and constructing a two storey flat roof flatted development.

The proposal seeks to replicate the adjoining dwellings in terms of scale & design and in isolation the design of the dwelling is compatible with the site. However, as aforementioned, the neighbouring properties have been set with significant and consistent separation between them and are also set back significantly from the street frontage. The existing development is laid out in a manner that positively contributes to the sense of spaciousness of the wider area.

The proposal would break this pattern by proposing a building line set 0.7 metres away from the adopted highway and set significantly closer to the adjoining dwelling. The proposed building would appear shoehorned into the plot and as a result of being set forward of the adjoining dwellings, would be at odds with the established building lines and pleasant environment that these recently constructed dwellings have created. As a result, the proposed development is considered to be visually incongruous when viewed from the streetscene and would be seen as a cramped and overdeveloped.

The planning approval for the construction of 4 dwellings on the adjoining site originally proposed 5no dwellings. This was considered an overdevelopment of the site and this remains the case. This part of the site narrows significantly and, considering the size of the approved dwellings, it is difficult to conceive how it could be developed for an additional dwelling in a manner that successfully harmonises with the new street scene. The 'agent of change' principle referred to within Chapter 6 of Planning Policy Wales outlines that it is the responsibility of the developer to ensure the introduction of noise sensitive development within noisy environments can be acceptably managed.

The introduction of a two storey flat development would be at odds with the immediate streetscene and would result in a visually intrusive form of development. Should such developments be allowed, it would degrade the character of the area and existing development to an unacceptable degree, contrary to Policies SP1, MD2 and MD5 of the LDP, The Council's SPG on Residential and Householder Development and the advice within Planning Policy Wales Ed.10 and TAN12 - Design paragraphs 2.6, 4.5, 4.8 and 6.16.

Highways issues and parking

The proposal includes 2no off road parking spaces to serve the proposed flats. These would be 1 bedroom flats and the Council's Parking Standards would require 1no parking space per flat. The number and size of the parking spaces are considered adequate and it is noted that the Council's Highway Authority has not objected to the proposal. As such, the proposal is considered acceptable in compliance with MD2 & MD5.

Impact on neighbours

Criterion 8 of policy MD2 requires that new development should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance. Additional guidance is contained in the Council's SPG on Residential and Householder Development.

The proposed flats would be located over 21 metres away from neighbours opposite the site. Given the distance and the fact that the flats would be separated by an adopted highway, the proposal is not considered to harm the amenity or privacy of these neighbours.

The proposed development would be located 4 metres from the side of the dwelling at the application site. Due to noise constraints, the adjoining dwellings were constructed with no habitable room windows facing towards the rear as means of noise mitigation. Therefore the existing dwelling at the application site has first floor and ground floor principal windows serving habitable rooms that directly face the proposed development.

The proposal does not propose any windows facing the existing dwelling at the application site and therefore the privacy of these neighbours would be protected.

In respect to the amenities of these neighbours, the proposed development would be two storey in scale, located on higher ground level with a maximum height of 6 metres. The advice within Chapter 2 of the suggests further assessment of the effect upon skylight to the existing dwelling should be undertaken where horizontal subtended angle of the new development is more than 25 degrees. The relationship in this case is approx. 50 degrees and is far in excess of the point the guidance that a substantial effect on diffuse skylight is possible.

It is noted that the skyline would not be completely obscured by the new development; however it would undoubtedly reduce the amount of daylight received through the neighbouring windows. The windows serve a living room at ground floor and a bedroom at first floor, which are both habitable spaces where natural light is important for the living conditions of the occupiers and a fundamental aspect of good design. The rooms in question would likely become gloomy and unattractive as a result. In addition, the new boundary enclosure (though the detail is not specified) would likely result in the ground floor windows being approx. 3m distance from a 2m enclosure.

The layout of the existing development is also laid out in with principal windows to the side, but there is much greater separation between the buildings between these plots and the others also have additional outdoor space available to the rear.

The proposed development would also impact upon the adjacent garden areas of the existing dwelling. The subdivision of the garden to create the proposed building plot would leave a relatively narrow strip of amenity space for the existing dwelling. The construction of new development of the scale and relationship proposed would potentially shade the remaining amenity area, as well as being seen as oppressive and overbearing. It would consequently harm the amenity of the occupiers. Furthermore, the outlook and daylight serving habitable room windows facing the application site would be harmed/lost by the introduction development measuring over 6 metres in height when taking the ground levels into consideration.

Thus it is considered that the proposal will result in an adverse impact on the residential amenities of neighbouring occupiers, contrary to policy MD2 of the LDP the Council's SPG on Residential and Householder Development, and national guidance contained within Planning Policy Wales and the BRE Guidelines: 'Site Layout Planning for Daylight and Sunlight' (2nd Ed.).

Amenity space

Section 10 (Amenity Space) of the Residential and Householder Development SPG states that amenity space is essential and provides a number of important functions that contribute towards a resident's enjoyment of a property. Those essential functions include space for relaxation, entertainment and play; gardening and cultivation; clothes washing and drying; DIY; and waste, cycle and other domestic storage.

Design Standards 4 relates to amenity space provision for dwellings and states that

“For flats, between 12.5 sq.m and 20 sq.m of amenity space per person should be provided, depending on the size of development.”

**typically 1 or 2 bedroom flat would have 2 persons.*

The guidance states that proposals for new houses or conversions to create new dwellings and new householder development must ensure that an adequate provision of amenity space is provided and maintained. In particular it states that private (usually rear) gardens should be of a useable shape, form and topography.

Due to site constraints of the adjoining train line, the dwelling at the application site has amenity areas to the side. The proposal would result in a reduction of the area to the north east to serve as part of the development site. Whilst this would result in a significant reduction, the dwelling would retain sufficient amenity space to serve a dwelling of this scale.

In respect of the proposed flats, the proposal should offer between 50-80 sqm metres of private garden which is of a useable shape, form and topography as set out within the SPG. The proposed development proposes approximately 35 sqm of garden space located to the side of the proposed building, adjacent to the parking area. The area is proposed to be open and so would not be private in nature.

In approving the application dwelling it was considered on balance that the amenity area to the north east was acceptable as amenity space given that it was large and collectively with the amenity space to the south west would provide acceptable level of amenity for a 4 bedroom property.

Whilst there are small incidental areas of amenity to the rear, this cannot be reasonably considered as usable amenity space. The amenity space proposed would not be private and would not meet the minimum standards set out in the SPG. Furthermore, the only amenity space would also be located adjacent to the railway line and located at the same level as the tracks. Given the distance to the train line and the limited shape and space, the proposal would not provide a pleasant area for residents to enjoy.

On the basis of the above the proposal would fail to comply with Design Standard 4 of the Residential and Householder Development SPG and Policy MD2 of the LDP.

Noise

A residential use is considered to be a noise sensitive development, as defined in national planning guidance, TAN11 on Noise. Depending on the noise levels from an existing noise source experienced within a new development, the TAN recommends that permission be refused or that mitigation measures are put in place to reduce the level of noise experienced. With regards to noise, LDP policy MD7 requires that development demonstrates that it does not have an unacceptable impact on people and residential amenity from noise.

Policy MD2 (Design of new Development) is also relevant, and states that new development proposals should (inter alia):

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

The application site is located approximately 7.5 metres from a freight train line that operates 24 hrs a day. The Council's Environmental Health Section have not commented on this application, however from Council records relating to the previous application on site, it was noted that concerns were raised relating to development on this particular parcel of land due to its proximity to the railway and levels.

The application has not been supported by a noise assessment and despite a request to the agent no assessment has been provided. In the absence of the assessment and given the concerns raised in previous applications, it is considered appropriate to regard the development as having an unacceptable impact on the health and/or amenity of the occupiers of development. It has not been adequately demonstrated that the noise impact, in a location known to be subject to high levels of noise, is acceptable and can be adequately mitigated.

The Environmental Health Officers comments on the application 2014/00071/FUL are legitimate, having regard to the proximity of the living space and amenity space to the railway line. This approach is consistent with that taken in respect of the new housing development adjacent to the site, where conditions were imposed requiring the dwellings to be constructed with noise mitigation measures included.

Residents of dwellings should have a reasonable expectation to not be affected by noise and vibration. Whilst this is especially the case within their homes, in circumstances where amenity space is limited such as in this case, it is considered necessary to ensure an assessment of the site is provided prior to determination.

On this basis, the proposal fails to comply with Policies MD2 & MD7 of the LDP and the advice within TAN11 – Noise and Planning Policy Wales at Paragraphs 6.7.5 and 6.7.14 in particular.

Ecology

The Council's Biodiversity and Development SPG (2018) requires new development to provide ecological enhancements to promote biodiversity within the Vale of Glamorgan.

The application has not been supported by a biodiversity scheme, however given the scale and nature of the development, it is considered that enhancements could be secured by way of condition should the application be acceptable in other regards.

Archaeological

Glamorgan Gwent Archaeological trust as the Council's advisors have stated that a watching brief for the adjoining site included this parcel of land and no archaeological interest was noted, as such the proposal is considered acceptable in this respect.

Drainage

The application site is not located within a flood risk area and the application form states that foul drainage would be connected to a mains sewer. Welsh Water have requested conditions should planning permission be granted. Notwithstanding this, the site would require SuDS Approval Body (SAB) approval, therefore the proposal is considered acceptable in respect of drainage.

However, as previously noted the proposal is considered unacceptable for other reasons.

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.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

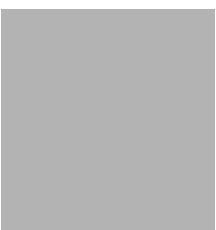
REFUSE (W.R.)

1. By reason of its scale and relationship to adjacent dwellings, the proposed development is considered to result in an overdevelopment of the site that fails to respect the surrounding pattern of development and would, therefore, appear as a cramped, visually incongruous and harmful to the character of the street scene. The proposal would, therefore, be contrary to

the aims of Policies SP1 Delivering the Strategy, MD2 Design of New Development and MD5 Development within Settlement Boundaries of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within the Council's Supplementary Planning Guidance on 'Residential and Householder Development', Planning Policy Wales 10th Edition and Technical Advice Note 12- Design.

2. By reason of its scale and siting, the proposed development would result in an unacceptable reduction in natural light, be overbearing and an unneighbourly form of development when viewed from the garden and side facing windows of No 81 Romilly Park Road, unacceptably impacting upon the amenities of the occupiers. The proposal would therefore be contrary to the aims of Policies MD2 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within the Council's Supplementary Planning Guidance on Residential and Householder Development, Planning Policy Wales 10th Ed. and TAN12 - Design.
3. In the absence of a noise assessment, the proposal fails to provide adequate information to assess the impact of noise and vibrations from the adjoining train line on the amenity and living conditions of future occupants of the site, contrary to Policies MD2 (Design of Development) MD7 (Environment Protection) of the Vale of Glamorgan Local Development Plan 2011-2026 and national guidance contained in TAN11 (Noise) and Planning Policy Wales (Edition 10, 2018).
4. The proposed scheme fails to provide adequate provision of usable and private amenity space to serve the proposed development contrary to policies MD1 – Location of New Development, MD2 – Design of New Development and MD5 – Development within Settlement Boundaries of the adopted Local Development Plan 2011-2026, together with Supplementary Planning Guidance 'Residential and Householder Development'.

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 Development in the Vale of Glamorgan

7.1 The LDP Vision, Strategic Objectives and Strategic Policies set out the levels of growth and development for the Vale of Glamorgan over the Plan period. This section sets out the policy framework for managing future development in the Vale of Glamorgan. The policies seek to address issues that are relevant to all forms of development proposals, for example, access, design and amenity as well as providing a development specific context for proposals such as energy generation and rural buildings. These policies in combination with other policies contained in the LDP and national planning policy will form the basis for determining future planning applications in the Vale of Glamorgan.

POLICY MD1 - LOCATION OF NEW DEVELOPMENT

New development on unallocated sites should:

- 1. Have no unacceptable impact on the countryside;**
- 2. Reinforce the role and function of the key settlement of Barry, the service centre settlements, primary settlements or minor rural settlements as key providers of commercial, community and healthcare facilities;**
- 3. Where appropriate promote new enterprises, tourism, leisure and community facilities in the Vale of Glamorgan;**
- 4. In the case of residential development, support the delivery of affordable housing in areas of identified need;**
- 5. Have access to or promote the use of sustainable modes of transport;**
- 6. Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;**
- 7. Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;**
- 8. Provide a positive context for the management of the water environment by avoiding areas of flood risk in accordance with the sequential approach set out in national policy and safeguard water resources; and**
- 9. Have no unacceptable impact on the best and most versatile agricultural land.**

7.2 Policy MD1 sets out the framework for future development to take place on unallocated sites within the Vale of Glamorgan. New development will be directed to those locations that are accessible by sustainable transport and reduce dependence on the private car. In addition, it seeks to ensure the efficient use and reuse of land and buildings and effectively manage important resources. In directing development to the most sustainable locations the Council recognises the importance of ensuring that development is carefully managed ensuring that development does not have an unacceptable impact on existing infrastructure, local amenity or result in the redevelopment of important open space or community facilities.

7.3 Within rural locations development will be managed carefully to ensure that it contributes positively to the rural economy and the viability and sustainability of rural communities, whilst ensuring the distinctive character of the Vale of Glamorgan is protected. In this regard, Policy MD1 still seeks to emphasise the importance of protecting the countryside from unacceptable and unjustified new development. For the purposes of the LDP, countryside is defined as that area of land lying outside the settlement boundaries of the main towns and villages identified in the LDP settlement hierarchy that has not been developed for employment use or allocated for development in the

Managing Development in the Vale of Glamorgan

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.

Managing Development in the Vale of Glamorgan

- 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

Managing Development in the Vale of Glamorgan

- 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.

Managing Development in the Vale of Glamorgan

- 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.

Managing Development in the Vale of Glamorgan

This differs from gross density which is used to define the number of dwellings in a site/development area including major and local distributor roads, primary schools, churches, local shopping etc., open spaces serving a wider area and significant landscape buffer strips which may define the site boundary/development edge. In calculating net developable area it will be reasonable to discount areas of significant constraint within a site such as woodland to be retained, flood zone, ecology mitigation areas and other strategic infrastructure such as distributor roads, playing fields or schools.

7.39 Development below the specified residential density levels will not be permitted unless it is demonstrated that there are significant constraints associated with a site that prevent development at the specified levels or where development at the density required would have an adverse impact on the character or appearance of the locality or result in the loss of an important site feature. Higher densities will be permissible and indeed encouraged where they represent the sustainable use of land and reflect the character of the surrounding area and would not unacceptably impact upon local amenity. By way of example higher densities would be expected in waterfront developments, flatted schemes and on sites in areas which are already characterised by high density development. All new development should contribute to the creation of balanced communities, providing an appropriate mix of housing types, tenures and sizes, including smaller properties to meet local housing need.

POLICY MD7 - ENVIRONMENTAL PROTECTION

Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

- 1. Pollution of land, surface water, ground water and the air;**
- 2. Land contamination;**
- 3. Hazardous substances;**
- 4. Noise, vibration, odour nuisance and light pollution;**
- 5. Flood risk and consequences;**
- 6. Coastal erosion or land stability;**
- 7. The loss of the best and most versatile agricultural land; or**
- 8. Any other identified risk to public health and safety.**

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures can be taken to minimise the impact identified to an acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes.

In respect of flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN15. No highly vulnerable development will be permitted within Development Advice Map (DAM) zone C2. Development will only be permitted 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 TAN15.

7.40 While many elements of pollution control are outside the remit of the planning system it is important that new development does not lead to unacceptable levels of pollution. If, as a result of consultation with bodies such as Natural Resources Wales and Health and Safety Executive, the

Managing Development in the Vale of Glamorgan

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)”.

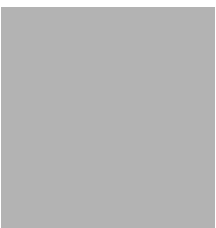
POLICY MD8 - HISTORIC ENVIRONMENT

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.

QUESTION22h



Residential & Householder Development



Supplementary Planning Guidance

April 2018



Contents

1. Introduction	1
2. Purpose of the Supplementary Planning Guidance	2
3. Status of the Supplementary Planning Guidance	3
4. Policy Context.....	4
5. Householder Development - What consents and permissions are required?	10
6. Preparing to Design your Development	13
7. Understanding and Responding to the Character of your Property and your Area	14
8. Designing you proposal	17
9. Impact on Neighbours	33
10. Amenity Space	39
11. Access and Parking.....	41
12. Foul and Surface Water Drainage	42
13. Landscaping and boundary treatments	43
14. Renewable Energy	45
15. Other Development	46
16. Contacts	47
17. Appendices.....	48
17.1. Appendix A - Validation Requirements Checklist.....	48
18. Glossary	64

Figures

Figure 1: Understanding the character of your area (Windsor Terrace, Penarth Example)	16
Figure 2: Understanding the character of your area (Westward Rise, Barry Example)	16
Figure 3: Design guidance for front extensions	22
Figure 4: Well-designed single story side extension	24
Figure 5: Setting Back of Front Elevation of Side Extension	25
Figure 6: Setting Back of Upper Floor of Side Extension	25
Figure 7: Examples of well-designed and poorly designed two-storey side extensions	26
Figure 8: These diagrams highlight inappropriate forms of roof extension	28
Figure 9: Loft windows should be evenly spaced, with matching features to the rest of the dwelling.	29
Figure 10: Shows poorly-designed dormer window development to the front and rear of properties	31
Figure 11: An example of an unacceptable extension with roof terrace which compromises the private amenity of the neighbouring property	32
Figure 12: Impact of extension over-shadowing neighbour's habitable rooms	34
Figure 13: Distance of at least 21m between opposing habitable rooms	35
Figure 14: Distance between opposing habitable windows (metres).....	37
Figure 15: Distance between opposing habitable windows of dwelling (metres).....	38
Figure 16: Amenity space provision for flatted developments	40

1. Introduction

- 1.1. Householder development means works to an existing residential property or within its garden to extend it or alter its appearance, or provide additional accommodation within the plot. This can include the construction of extensions, garages, car ports, outbuildings, enclosures (e.g. walls, gates and fences), hard surfaces, porches and dormer extensions. It can also include the replacement of windows, installation of chimneys / flues, addition of solar panels and the cladding of a property.
- 1.2. Some householder development can be undertaken without the need for permission from the Council, this is known as 'permitted development'¹. If planning permission is required, a Householder Planning Application must be submitted. This is a type of planning application that is specifically used for development proposals for existing residential properties.
- 1.3. When submitting a planning application there are certain aspects of the proposal's design that will need to be considered in order to safeguard the existing residential and visual amenity. Accordingly, good design is considered to be an important part of the planning process. This document provides guidance to those looking to extend or alter their properties in the Vale of Glamorgan, and identifies the key policy requirements used in the determination of planning applications where works to an existing house or flat are proposed. It also provides principles and guidance that should be taken into account when planning new residential developments.

¹ For more guidance on householder permitted development rights, refer to the Welsh Government's guidance available on their website: <http://gov.wales/topics/planning/policy/guidanceandleaflets/householder-permitted-development-rights/?lang=en>

2. Purpose of the Supplementary Planning Guidance

- 2.1. This Supplementary Planning Guidance (SPG) has been produced to support and add detail to the Vale of Glamorgan Local Development Plan (LDP) 2011-2026. It is intended to provide clear guidance on the interpretation and implementation of the policy within the LDP that is relevant to householder and new residential development.

- 2.2. This SPG represents a material consideration in the determination of planning applications and appeals for householder and new residential development. The purpose of this document is to provide advice on what matters must be considered when designing new residential development or improvements or alterations to your home, preparing plans and submitting planning applications.

- 2.3. This SPG provides guidance on the main issues arising from new householder development; states a number of standards that should be complied with in order to safeguard residential amenity; sets out a series of principles to be followed to ensure good design; and provides possible solutions to certain design issues encountered.

3. Status of the Supplementary Planning Guidance

- 3.1. Draft guidance was approved for public consultation by Cabinet on the 18th December 2017 and the Council undertook a six week consultation exercise between Monday 22nd January and Friday 2nd March 2018 with the relevant documentation being made available at the main Council offices and on the Council's web site. The Council considered the representations received during the consultation exercise before finalising this document, which was approved by Cabinet on 16th April 2018. This guidance will now be a material consideration in relevant planning decisions.

4. Policy Context

4.1. National Policy

Planning Policy Wales (Edition 9, November 2016)

4.1.1. Planning Policy Wales (PPW) sets out the land-use planning policies of the Welsh Government. Paragraph 3.1.4 states:

“Factors to be taken into account in making planning decisions (material considerations) must be planning matters; that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. The planning system does not exist to protect the private interests of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. When determining planning applications local planning authorities must take into account any relevant view on planning matters expressed by neighbouring occupiers, local residents and any other third parties. While the substance of local views must be considered, the duty is to decide each case on its planning merits.”

4.1.2. PPW Chapter 9 sets out the national planning policies for housing. Paragraph 9.3.3 and 9.3.4 focus on the development management process and how it relates to housing development, they state:

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

“In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.”

Technical Advice Note (TAN) 12: Design (2016)

4.1.3. TAN 12 seeks to promote sustainability through good design. Paragraph 2.2 states:

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every

scale throughout Wales – from householder extensions to new mixed use communities.”

4.2. Local Policy Context

4.2.1. The Council's policy on Design is set out in the Vale of Glamorgan Local Development Plan (LDP) 2011 – 2026.

4.2.2. **LDP policy SP1 - Delivering the Strategy** confirms the strategy for the Plan and seeks to “*improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets*”. The policy states that this will be achieved by, amongst other things, protecting and enhancing the built environment.

Policy MD2 - Design of New Development and states:

“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.”*

4.2.3. **Policy MD5 – Development within Settlement Boundaries**, seeks to guide development within the settlement boundaries identified in the Development Plan, which would, of course, include urban and suburban areas. The policy states:

“Development 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.”*

4.2.4. **Policy MD8 - Historic Environment**, seeks to protect the qualities of the built and historic environment from inappropriate development. It states:

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.”*

4.2.5. **Policy MD12 - Dwellings in the Countryside**, relates to dwellings lying outside the settlement boundaries of the main towns and villages identified in the LDP settlement hierarchy. The policy seeks to guide the development of the replacement of existing dwellings in the countryside.

“Proposals...will be permitted where:

1. *The dwelling has an established lawful residential use;*
2. *it would not result in the loss of a dwelling which contributes significantly to the rural character of the area, unless it can first be demonstrated that the building is structurally unsound and repairs are economically unviable or existing physical or environmental site constraints restrict the ability to appropriately extend the existing property;*
3. *The replacement dwelling would, by reason of its scale, siting, design, materials, landscaping and external appearance, be compatible with the surrounding built and natural environment and have no materially greater impact on the landscape; and*
4. *The proposal does not necessitate an unacceptable extension to the residential curtilage.*

Extensions to dwellings in the countryside will be permitted if the dwelling as extended:

1. *Is not disproportionate in size to the original dwelling,*
2. *Would not unacceptably affect the character of the existing dwelling and its contribution to rural character; and*
3. *Would have no materially greater impact on the landscape.”*

4.3. Supplementary Planning Guidance (SPG)

4.3.1. Supplementary Planning Guidance (SPG) is non-statutory guidance which supplements specific policies in a Local Development Plan (LDP). The following SPG are particularly relevant to this Householder and Residential Development SPG and should be read in conjunction with it. All SPGs are available on the planning pages of the Council's website.

4.3.2. **Parking Standards SPG** - This SPG sets out the Council's parking standards and explains the planning policy for parking requirements for new developments or change of use.

4.3.3. **Biodiversity SPG** - The Council's Biodiversity SPG provides additional guidance on how biodiversity will be conserved and enhanced in the Vale of Glamorgan through the planning and development process. It will assist developers in meeting the Council's proactive approach towards a high quality natural environment and addresses the statutory duties and social responsibilities required by legislation and national policy.

4.3.4. **Trees and Development SPG** - The guidance offers further information on how to fully consider trees and hedgerows as part of any development proposal. It clarifies the approach the Council takes when assessing development proposals that impact on trees, woodlands and hedgerows and details the powers the Council can use to protect trees and their setting.

4.3.5. **Conversion of Rural Buildings SPG** - This document provides guidance on the conversion of existing rural buildings to alternative uses and identifies key policy requirements used in the determination of planning applications where the conversion of rural buildings is involved.

- 4.3.6. **Conservation Area Appraisal Management Plans (CAAMPs)** - These documents contain guidance for the 39 individual conservation areas throughout the Vale of Glamorgan and offer further information regarding groups of buildings, open spaces, street patterns, trees and other important factors which give an area its character.

5. Householder Development - What consents and permissions are required?

5.1. Permitted Development

- 5.1.1. For some householder development there are permitted development rights granted under The Town and Country Planning (General Permitted Development) Order 1995 (as amended). These permit certain development without requiring the need to obtain planning permission from the Council. The Welsh Government has produced guidance on permitted development for householders called 'Permitted Development for Householders - Technical Guidance', which can be accessed on their website (wales.gov.uk). If you live in a Conservation Area or in a Listed Building, further restrictions apply and in some cases, permitted development rights have been removed, therefore you should check with the Council whether any of these restrictions apply to your property.
- 5.1.2. Further restrictions have been placed on permitted development rights for certain properties in the Penarth Conservation Area, under what is known as an Article 4 Direction. The Article 4 Direction allows the local planning authority additional control over minor alterations. For these properties, a Householder Planning application is required and planning permission must be secured for all extensions, outbuildings, hard standings and any changes to or removal of windows, doors, chimneys, roof, boundary walls/fences and gates that front onto a highway or open space. A full list of Article 4 properties in Penarth is available on the Council's website.
- 5.1.3. If you would like formal confirmation from the Council that your proposed development benefits from the permitted development rights granted under the 1995 Order, you can submit an application for a Certificate of Lawful Development. In order for your application to be valid, it must comply with the validation requirements for such applications, as set out on the 'Validation Check List' at Appendix A.

5.2. Planning Application for Householder Development

- 5.2.1. When householder development is not 'permitted development', you will need to make an application for planning permission to the Council. Householder planning applications are a specific type of planning application for development involving an existing residential property. A

list of what is needed to support planning applications is set out on the 'Validation Check List' at Appendix A.

- 5.2.2. Once submitted and confirmed as being valid, neighbouring properties will be notified that an application has been submitted. A site notice may also be displayed near the property to which the application relates. Your application will be allocated to a Planning Officer who will visit your property, the surrounding area and, if necessary, your neighbours' properties to undertake an assessment of the site and consider the impact that the proposal will have. A valid planning application will usually be determined within 8 weeks of being received.

5.3. Conservation Area Consent

- 5.3.1. If your property is within a Conservation Area you may also need permission to demolish elements of your property. A particular type of permission, known as Conservation Area Consent will be required if your proposals involve the substantial demolition of a building or structure in a Conservation Area. This only applies where you wish to demolish a building which exceeds 115 cubic metres or to take down a wall, gate or fence which is over 1 metre high where abutting a highway, or over 2 metres high elsewhere.

5.4. Listed Building Consent

- 5.4.1. Listed Building Consent will be required for most internal and external works to a Listed Building e.g. replacing windows or painting exterior walls. Listed Building Consent will also be required for the demolition of all or part of a Listed Building. For further guidance refer to the Council's website.
- 5.4.2. It is a criminal offence to carry out unauthorised work to a Listed Building.

5.5. Other Consents

- 5.5.1. **Building Regulations** - Most new building work will require Building Regulations Approval. This covers not only all aspects of building construction but also accessibility, including disabled access, within and around buildings as required in Part M of the Building Regulations. Advice and application forms can be obtained from the Council's Building Control section. For further information refer to the Council's website.

5.5.2. **Sewers & Services** - The effect of any development on sewers, water mains, gas pipes and electricity mains should be considered and may require separate consent from the service provider. A development must not compromise any rights of access required by service providers. The size and/or location of new development may be affected by the position of a sewer. You should contact your service provider for further advice.

5.5.3. **Party Wall Act Consent** - If your proposals affect a Party Wall or you require access onto your neighbour's property to build your new development, you will need to comply with the Party Wall etc. Act 1996.

6. Preparing to Design your Development

6.1. Preparing your plans

- 6.1.1. You must ensure that clear, detailed and scaled drawings are prepared that accurately show the development proposed. Whilst it is not a requirement, it is advisable that you appoint an architect or someone who is suitably qualified and/or experienced, to prepare plans that meet the validation requirements referred to in Appendix A.
- 6.1.2. You may wish to view the Council's Planning Register on the Council's web site for examples of the type of plans that are acceptable to accompany a planning application.
- 6.1.3. The Royal Society of Architects Wales (RSAW) provides guidance on selecting and appointing an architect. In addition the Royal Town Planning Institute (RTPI), The Royal Institute of Chartered Surveyors (RICS), and the British Institute of Architectural Technologists (BIAT) can provide advice.

6.2. Speak to your Neighbours

- 6.2.1. You are strongly advised to discuss your proposals with your neighbours prior to planning any new development, to enable any issues or concerns to be addressed at the outset. If any part of the development overlaps or overhangs your neighbour's property (e.g. rainwater goods, foundations), you will need to serve the requisite notice on them before making a planning application, and complete the correct certificate of ownership to accompany your planning application. Granting planning permission does not automatically give you the right to build on land outside your ownership or give you any rights of access on or over your neighbour's property. It is best to avoid overlapping your neighbour's property where possible as this can lead to dispute and difficulty in implementing your planning permission.
- 6.2.2. After you make a planning application the Council will publicise your application and consult your neighbours who will have an opportunity to make comments on your proposals.

7. Understanding and Responding to the Character of your Property and your Area

7.1. Constraints that may affect the proposed development

7.1.1. Your property or its immediate surroundings may have constraints which will affect what you can build. These may include:

- Trees and Hedgerows (in particular protected trees and trees in Conservation Areas)
- Flooding
- Drainage
- Archaeology
- Wildlife
- Conservation Areas
- Listed Buildings
- Contaminated land
- Noise

7.1.2. The Council's website contains more information about these constraints, including the interactive LDP Constraints Map. Further advice on how these constraints may affect your proposal can be found in the topic specific SPG listed at Section 2.3 or by speaking to the Duty Planning Officer.

7.2. The Character of your Property

7.2.1. When designing your new development, it is important to understand the character of your property, i.e. your house and garden.

7.2.2. Key principles when considering the character of your property:

- Its scale (the size of your house is compared to neighbouring buildings)
- Its bulk / massing (how it is arranged externally – i.e. is its volume broken up into a number of single, two or three storey elements?)
- Its form (i.e. detached, semi-detached or terrace; its roof form; the shape of it etc.).
- Its position within the plot (e.g. is it close to the road or set back within the plot?)

- Its relationship to any outbuildings within your property
- Its relationship and proximity to neighbouring properties, in terms of its position and distance from the neighbouring garden and windows in the neighbouring house.
- The detailing on your house (e.g. window and door arrangement, architectural detail, external features, etc.)
- Materials used in its construction
- Its garden space and landscaping
- Its appearance (i.e. the visual impression your property makes within the area)
- The levels of the site and adjoining land/properties

7.3. The Context of your Property

7.3.1. It is then important to establish the character of the buildings (i.e. other buildings, houses and outbuildings) that are within the context of your property. The context of your property is the area within which your new development will sit and within which it will be viewed. The 'street scene' is often an important element of the context to your property.

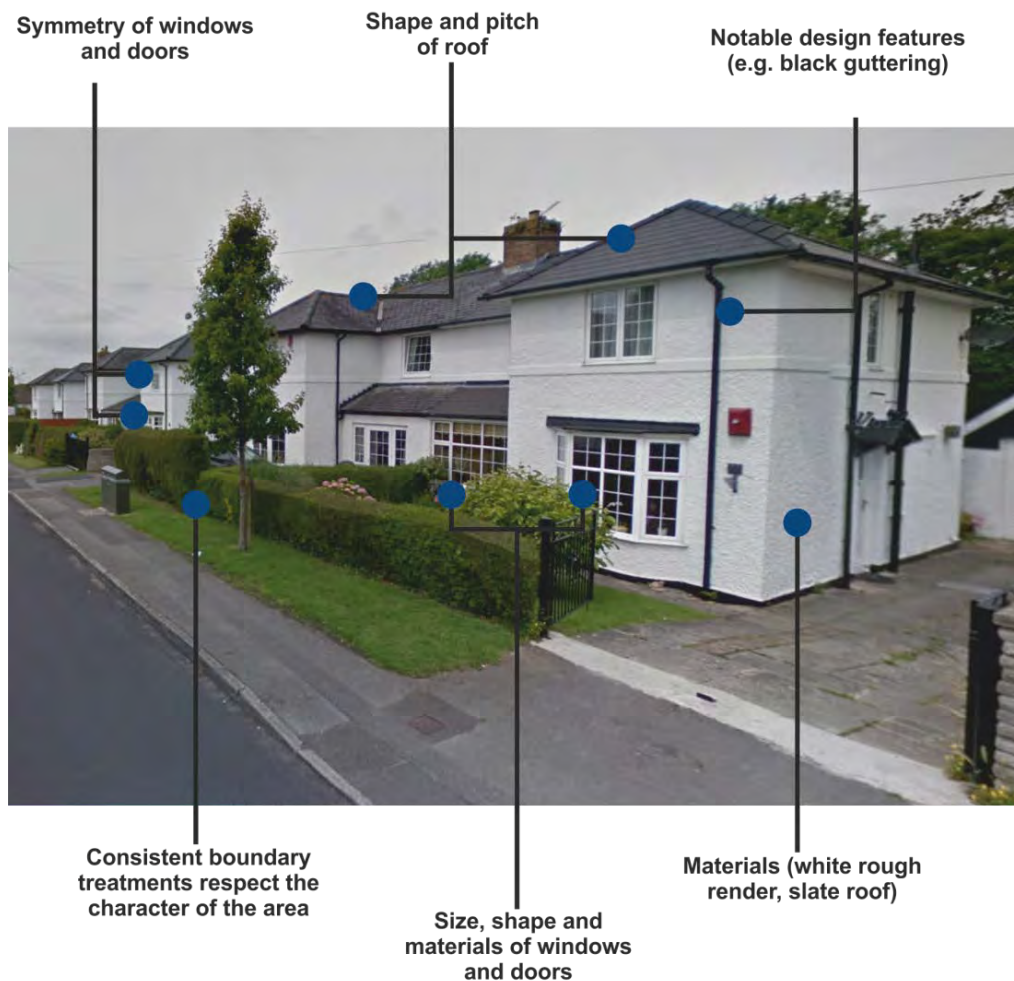
7.3.2. Key principles when considering the context to your development:

- Are all houses or buildings in the area of a similar scale, massing and form.
- Does the built development in the area form a consistent building line (how is it viewed within the street scene)?
- Is there any symmetry created by attached houses or a consistent pattern of development.
- Do houses in the area occupy a similar position within their plots, creating a pattern of development in terms of siting, space between houses and arrangement of garden space.
- Is there a predominant architectural style
- Is there a consistent use of materials in the street scene.
- Are there any repeated visual breaks in the built form within the street scene (i.e. a repetition of space between houses).
- Is landscaping a prominent element within the street scene.

Figure 1: Understanding the character of your area (Windsor Terrace, Penarth Example)



Figure 2: Understanding the character of your area (Westward Rise, Barry Example)



8. Designing your proposal

8.1. Introduction

- 8.1.1. Once the character of your property and its context has been established, your development should be designed so as to complement and positively contribute the existing character.
- 8.1.2. New development should be sympathetic to the existing in terms of scale, massing, form, positioning, detailing and materials. Regard should also be had to the relationship of the development to open space, including residential garden, and established visual breaks in the street scene. These principles shall apply to new houses, extensions and garages / outbuildings.
- 8.1.3. Innovative, contemporary and modern design in new development may be appropriate where it is demonstrate that there is a sound understanding of design and the context of the development, and that the proposal has appropriately responded to the character of your property and the area. High quality materials are usually an essential element of successful contemporary design.
- 8.1.4. By following the more detailed key principles set out in this SPG, you should ensure that your new development will complement your existing property and fit comfortably into the wider street scene, which is particularly important in a neighbourhood that has a very strong style or character.
- 8.1.5. Failure to embrace these principles may lead to the refusal of planning permission as the development would be contrary to LDP policies and national planning policy on design.

8.2. Architectural style

- 8.2.1. Where special attention is paid to good architectural detailing, new development can make a positive contribution to its context.
- 8.2.2. Key principles:

- i. The architectural style of new development should be complementary to that of the original property and buildings in the surrounding area.
- ii. The architectural detailing on the existing property should be repeated, where appropriate. This includes the continuation of plinths, stringcourses, decorative brickwork, bargeboards, sills and fascia; these are important elements in the overall design of new development. The repeat of details such as decorative bargeboards, quoins or brick courses can also help to integrate the development into its context.
- iii. Where innovative, contemporary and modern development is proposed, a sound understanding of design and the context of the development should be demonstrated. The design should appropriately respond to the character of the property and the area.

8.3. Materials

8.3.1. The materials chosen for your development will be a fundamental element of its design.

8.3.2. Key principles:

- i. In most circumstances the materials used for the development should match and replicate those used on the original property.
- ii. Where alternative materials and finishes are proposed, they should complement the colours, tones and textures of the original property and buildings in the surrounding area.
- iii. Where a modern development is proposed, the use of contemporary and contrasting materials may be appropriate. These should, however, be of a high quality.

8.3.3. In some circumstances the Council will ask for samples to show what materials are proposed, or these may be required by condition.

8.4. Windows and doors

8.4.1. Windows and doors add interest and character to the appearance of a property and designing them carefully is integral to achieving a high standard of development.

8.4.2. Key principles:

- i. Windows and doors should, in most cases, be of a similar size, shape and design to those found in the original property and should reflect the existing pattern and arrangement.
- ii. Where a modern development is proposed, a contemporary design with larger openings may be acceptable, but much will depend on the quality and standard of design and materials.
- iii. The size and location of windows and doors should have regard to the privacy of neighbouring properties (see Section 9.2 below).

8.5. Siting, Scale and Massing

8.5.1. You must ensure that the scale and massing of a new development is appropriate when compared to the original property and its context. It is important to ensure that new extensions are proportionate in their scale to the existing property.

8.5.2. If due regard is paid to the scale and massing of your extension, new development can add interest to your property, thus making a positive contribution to the street scene.

8.5.3. The siting of a new development, extensions in particular is likely to be influenced by a number of factors, including the proposed use of the new development, the space available around a property, and the prominence and appearance of the new development in the street scene.

8.5.4. This section explores this in more detail highlighting particular issues relating to different types of householder development.

8.5.5. The measurements referred to in this SPG are guidelines and may be affected by the site specific context of a proposal.

8.6. Secure by Design

8.6.1. It is well understood that the design of residential areas can help people feel safe and reduce opportunities for crime.

8.6.2. Five qualities help to achieve this:

- Vitality or coming and going by neighbours and the public means that there are people about who can keep an eye on things.
- A clear and effective distinction between public and more private spaces means that people know where there is a right of access or control.
- Views from neighbouring homes of all public areas through the use of windows, lighting and good design of the landscape mean that people feel safe, whilst potential criminals might feel observed.
- Footpaths with an open aspect and overlooked by adjoining dwellings means that all areas of public space will have surveillance and feel safe.
- Physical security, secure rear gardens, secure ground floor windows and entrance doors to PAS24 2016 or equivalent. With all developments being built to Secured by Design standards.

8.7. Front Extensions

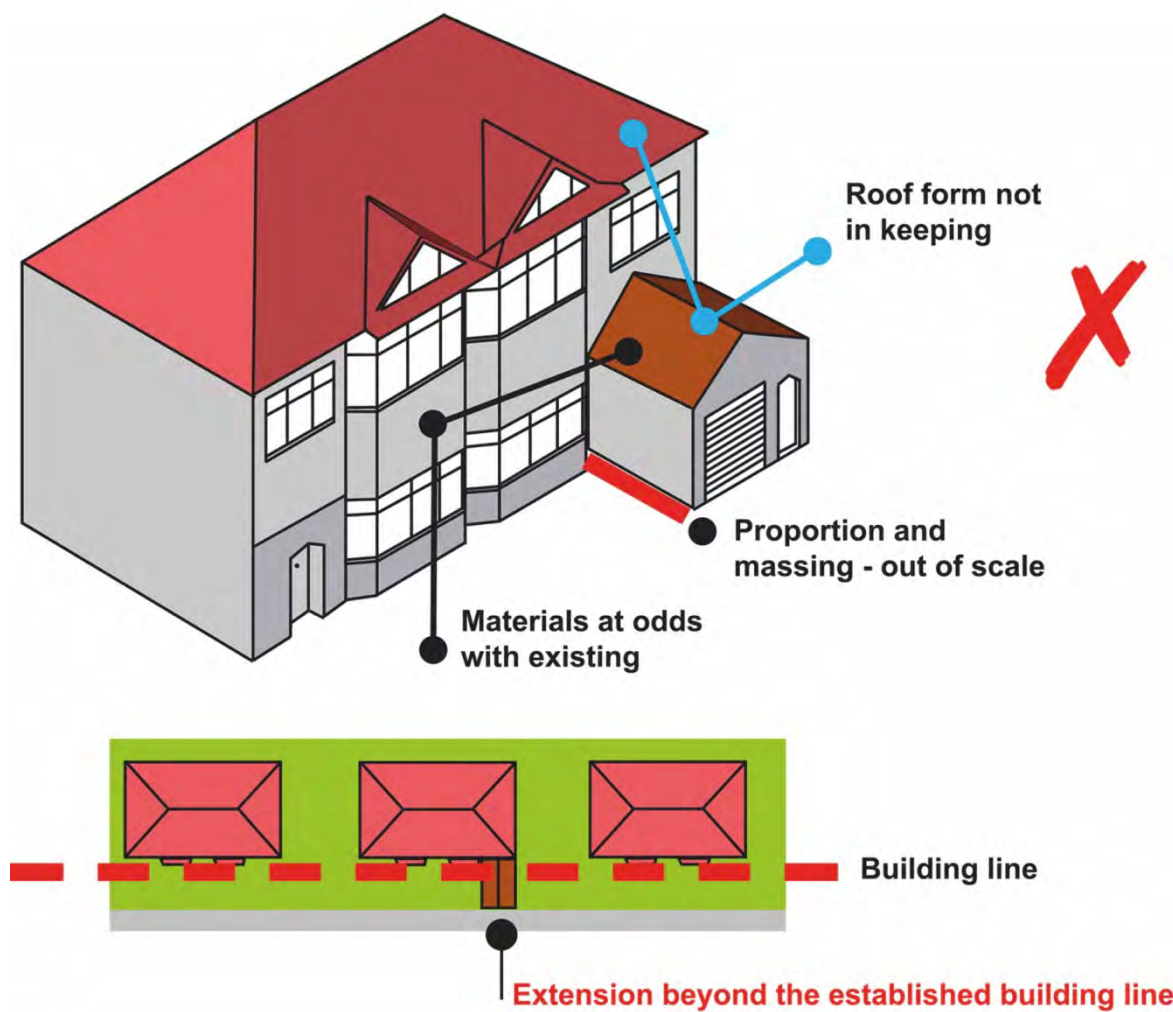
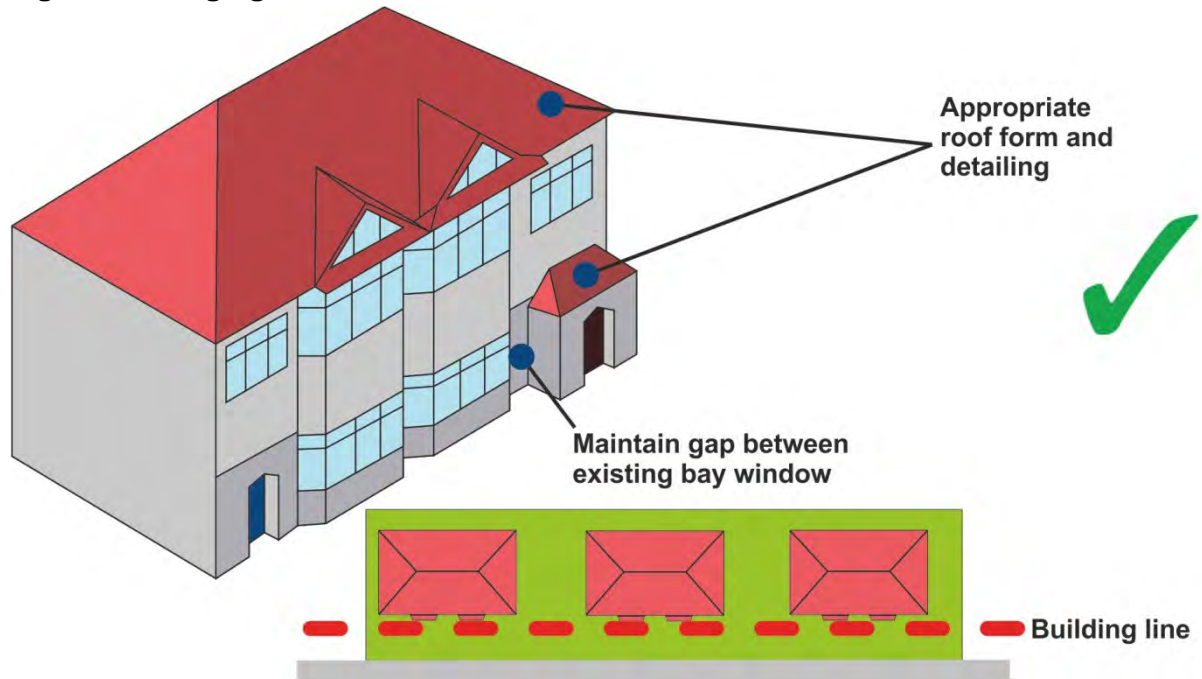
8.7.1. Extensions to the front of properties will usually be prominent in the street scene and therefore require careful design, particularly in terms of scale and massing.

8.7.2. Key principles:

- i. Established building lines should be respected.
- ii. Two storey developments will in many cases not be acceptable; however this will depend on the context of the site.
- iii. Where a single storey extension or a porch is proposed, it should be of an appropriate form, scale and location that responds to the character of the existing house and other development within the street scene.
- iv. The scale of new development should be proportionate to that of the original property.

- v. Original features on front elevations (e.g. bay windows) should be retained.

Figure 3: Design guidance for front extensions



8.8. Side Extensions

8.8.1. Side extensions can be prominent in the street scene and can adversely affect the character of the street if poorly designed. For example, in a street characterised by consistently spaced semi-detached houses, two-storey side extensions which fill the gap between these properties can create a 'terracing effect' that harms the overall character of the street. Proposals will be assessed on the basis that the neighbour may in time seek to do the same and therefore both properties need to maintain a gap to the side boundary.

8.8.2. Key principles:

- i. The extension should be proportionate to the width of the original property.
- ii. Any symmetry that is identified in the existing built development should be retained. Development that 'unbalances' a pair of semi-detached properties should be avoided, as it is also likely to adversely impact on the street scene.
- iii. New extensions should not result in a 'terracing effect' (i.e. where the gap between detached or semi-detached properties is lost).
- iv. The ridgeline of the roof should be lower than that of the main roof.

Design Standards:

1. Two storey side extensions should be set back from the front elevation of the property by a minimum of 300mm
2. Two storey side extensions should be set off the side boundary by a minimum of 750mm, where building closer to the boundary would cause a 'terracing effect'

Figure 4: Well-designed single story side extension

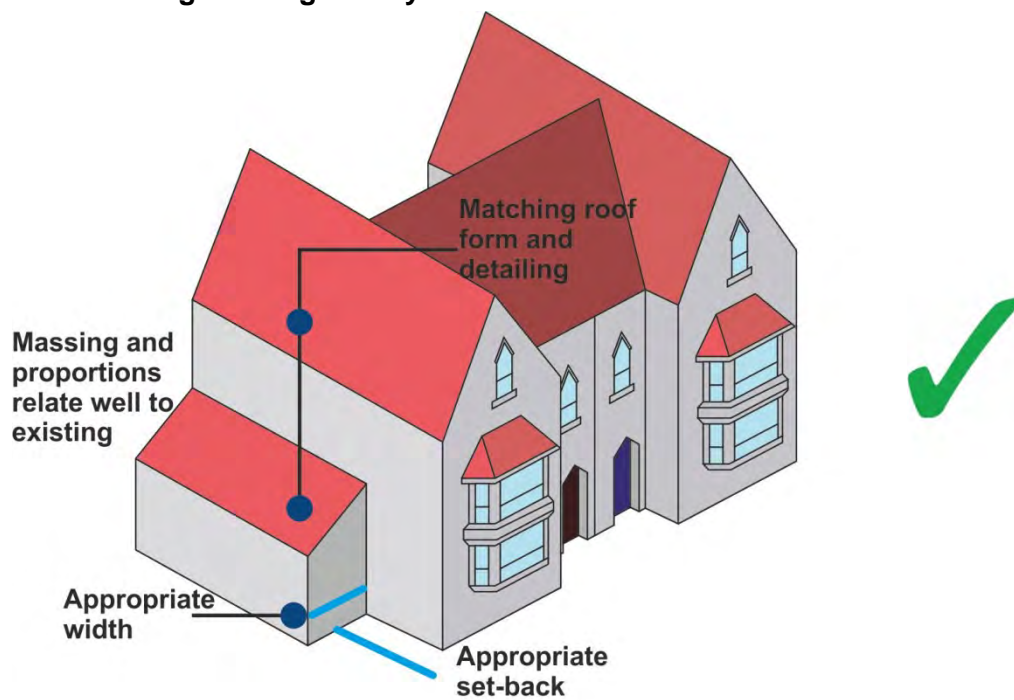


Figure 5: Setting Back of Front Elevation of Side Extension

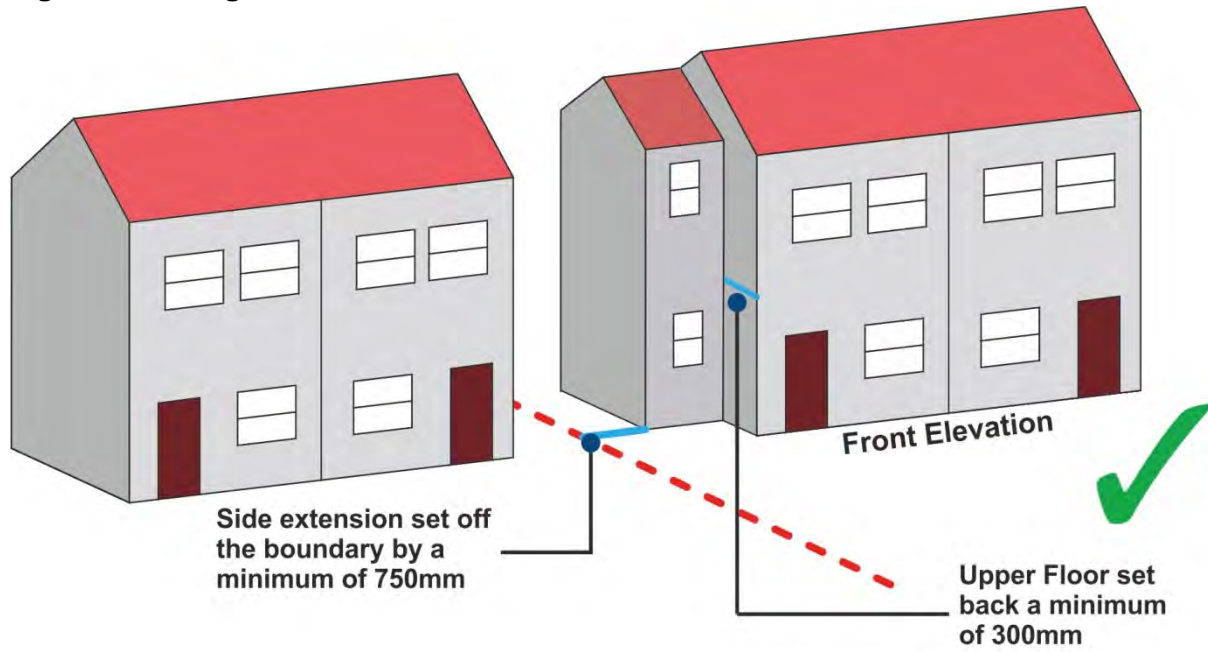


Figure 6: Setting Back of Upper Floor of Side Extension

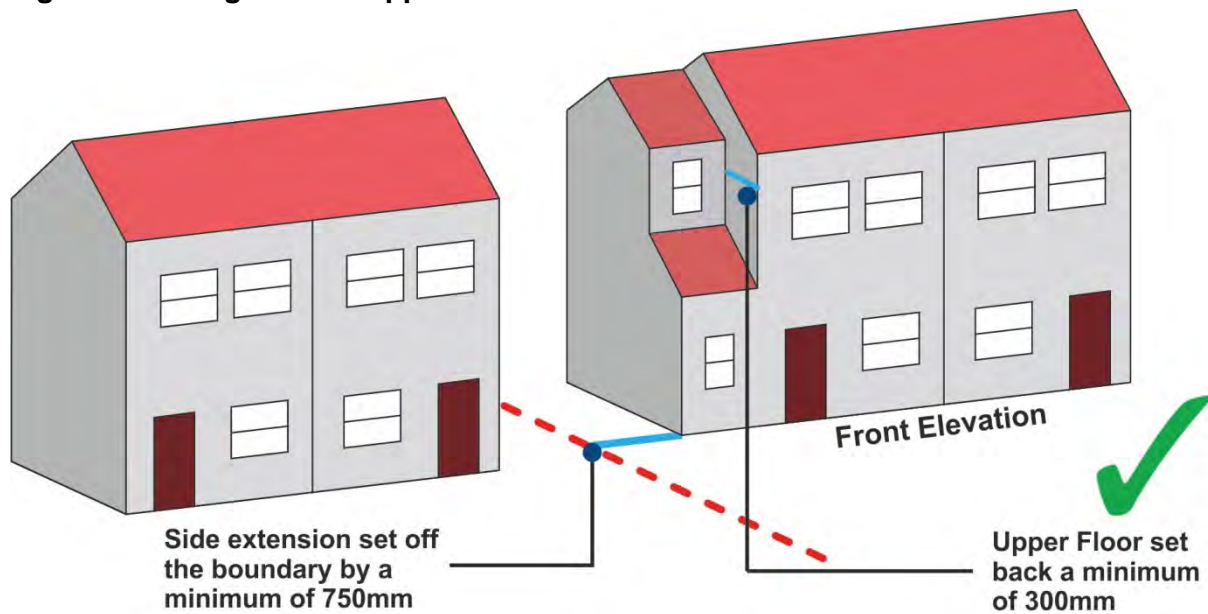
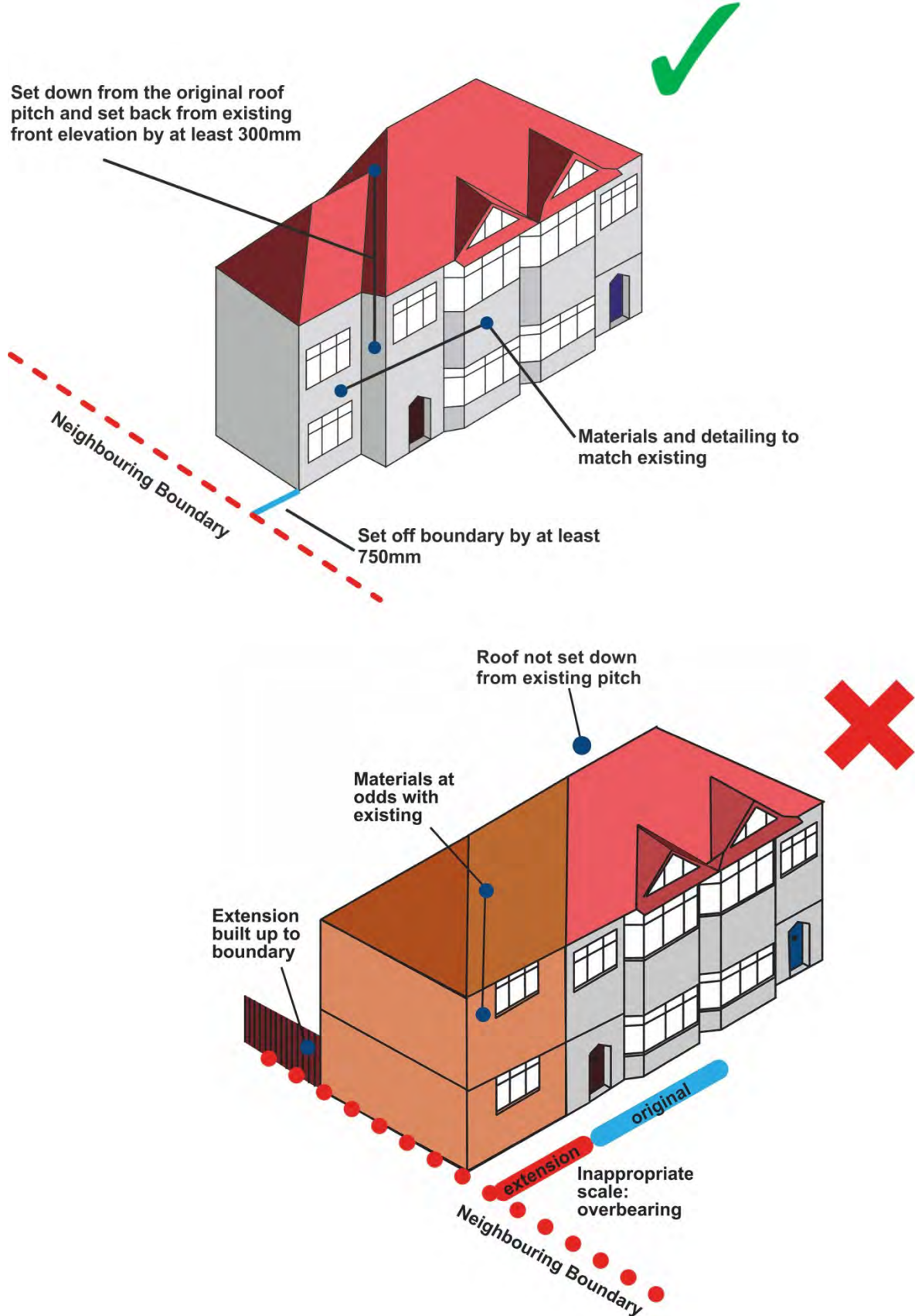


Figure 7: Examples of well-designed and poorly designed two-storey side extensions



8.9. Rear Extensions

8.9.1. Generally, extensions to the rear of existing houses are less visible within the street scene. These may, however, be visible from a side street, rear lane or noticeable due to the topography of the site and its context or from gaps between houses.

8.9.2. Key principles:

- i. The scale of new extensions should be proportionate and not dominate the existing house.
- ii. The impact on neighbours should be minimised (refer to section 9).

8.10. Roof form

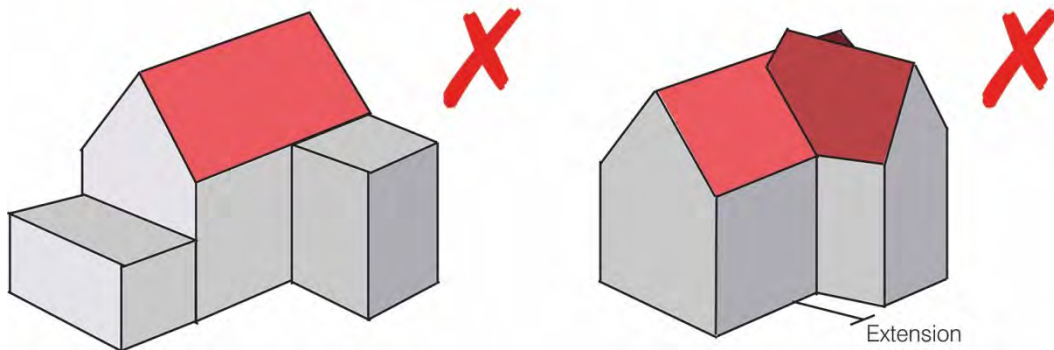
8.10.1. Generally, proposals that involve major changes to the existing roof (e.g. raising the ridge or eaves, or extensions to the roof) will potentially have a big impact on the appearance of the property and can cause harm in a street with a consistent street scene.

8.10.2. Key principles:

- i. Where there is a strong, prevailing roof form on buildings in the area, this should be replicated in new development. Proposals that depart from the prevailing character of residential development will be resisted where they would be harmful to the street scene.
- ii. The roof of any development should reflect and be complementary to the roof of the existing property in terms of style, form, pitch and materials.
- iii. The ridge height of any new development should be lower than that of the original roof in order to emphasise the distinction between the original house and the new addition; this will ensure subservience.
- iv. Flat roof extensions are generally not supported, unless they form part of a high quality contemporary design. Much will depend on the architectural style of the original building and the form of new development.

- v. Where 'hip to gable' development is proposed, careful consideration should be given to the size, form and materials proposed in order to avoid a prominent and incongruous form of development within the street scene.

Figure 8: These diagrams highlight inappropriate forms of roof extension



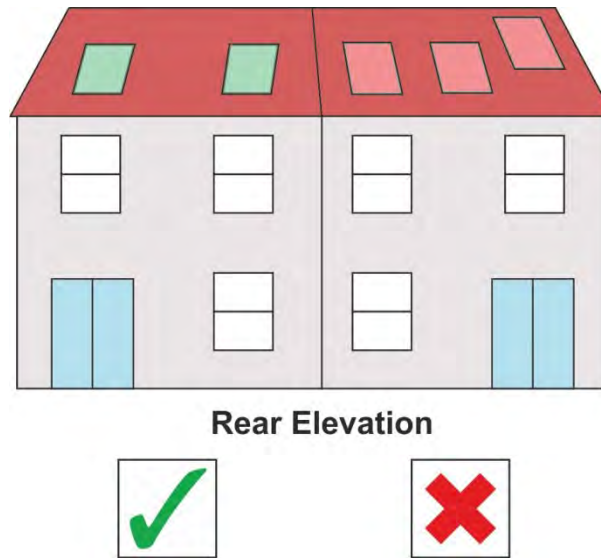
8.11. Loft Conversions / Roof Extensions

8.11.1. A loft conversion is an effective way of achieving additional living accommodation within the roof space. Such development can, however, have a significant effect on the appearance of a property.

8.11.2. Key principles:

- i. Less obtrusive sloping roof lights should be used as window openings to prevent problems of overlooking. Consideration should be given to the following:
- Roof lights should be positioned away from gables or roof abutments.
 - If there is more than one roof light on a roof facing a main road, they should be at the same level and evenly spaced, and of the same size, shape and design.
 - In sensitive locations such as Conservation Areas or on a Listed Building, flush-fitting roof lights should be used to reduce prominence and should be generally avoided on primary elevations.
 - The Council may request daylight factors to justify the need and size of the roof light.

Figure 9: Loft windows should be evenly spaced, with matching features to the rest of the dwelling.



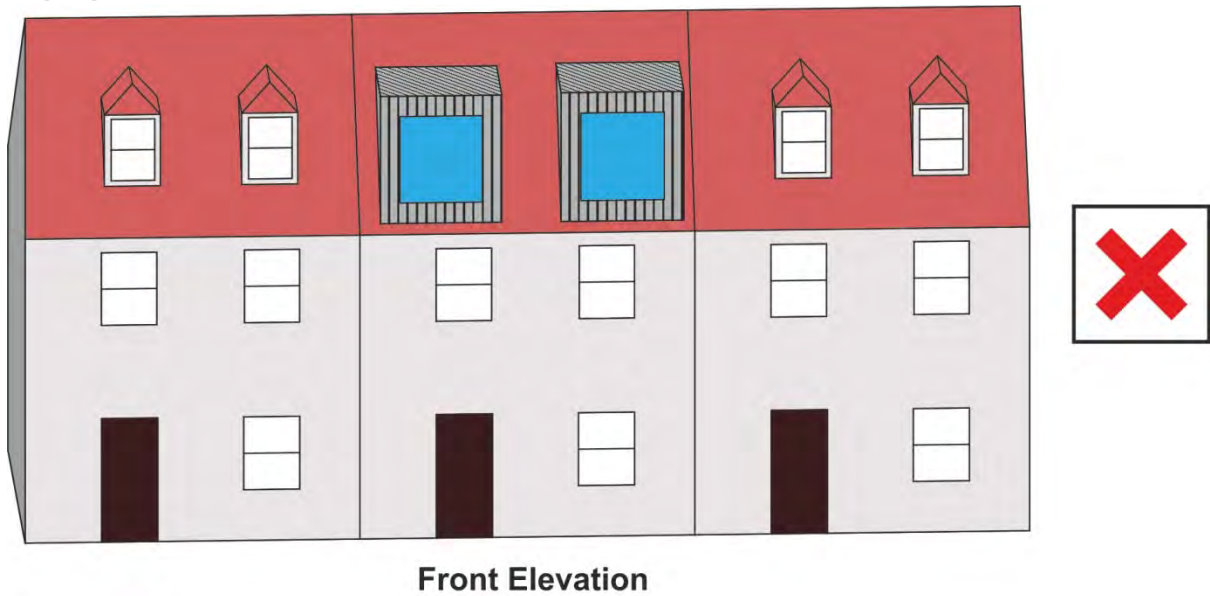
- ii. Dormer extensions should be appropriate to the street scene and should be of a scale that is proportionate to the main roof. In streets which have a consistent roof pattern, without dormers, the introduction of dormer extensions that detract from the character and appearance of the street will be resisted.

8.11.3. Consideration should be given to the following:

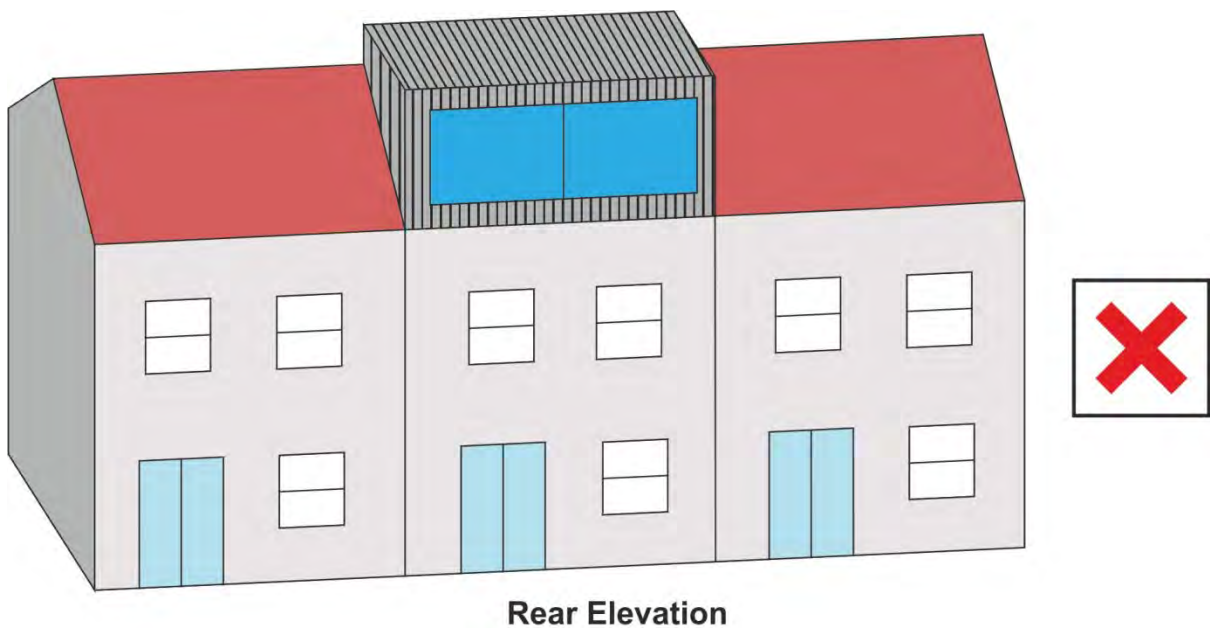
- Dormer extensions should be designed to reflect dormer extensions that are an original feature of other buildings in the street scene.
- The windows in dormer extensions should be positioned to match the pattern, size and shape of those present in the rest of the existing house.
- Dormer extensions should be positioned on the least prominent elevations. Exceptions could include dormer extensions on the front facing roof slope where this is a traditional feature of other properties within the street scene, provided it does not detract from the character of the street. The design should reflect the original features of other buildings in the street.
- Dormer extensions should be set up from the existing eaves of the property, set down from the existing ridge, and set in from the sides of the roof.
- Two smaller dormer windows are often preferred to one larger window.

- The cheeks of a dormer extension should be finished in materials to complement those used in the existing roof (i.e. hanging slates rather than cladding). Dark framed windows are preferable to white.

Figure 10: Shows poorly-designed dormer window development to the front and rear of properties



The box dormers are excessive in scale within the roof and poor alignment with windows in the rest of the dwelling. Design of box dormer is insensitive to the existing pitched roof dormers.



Dormer not set in from neighbouring roof boundary or set back from rear elevation. The height of the dormer exceeds the existing pitch of the roof.

8.12. Balconies, Roof Terraces, Raised Patios and Decking

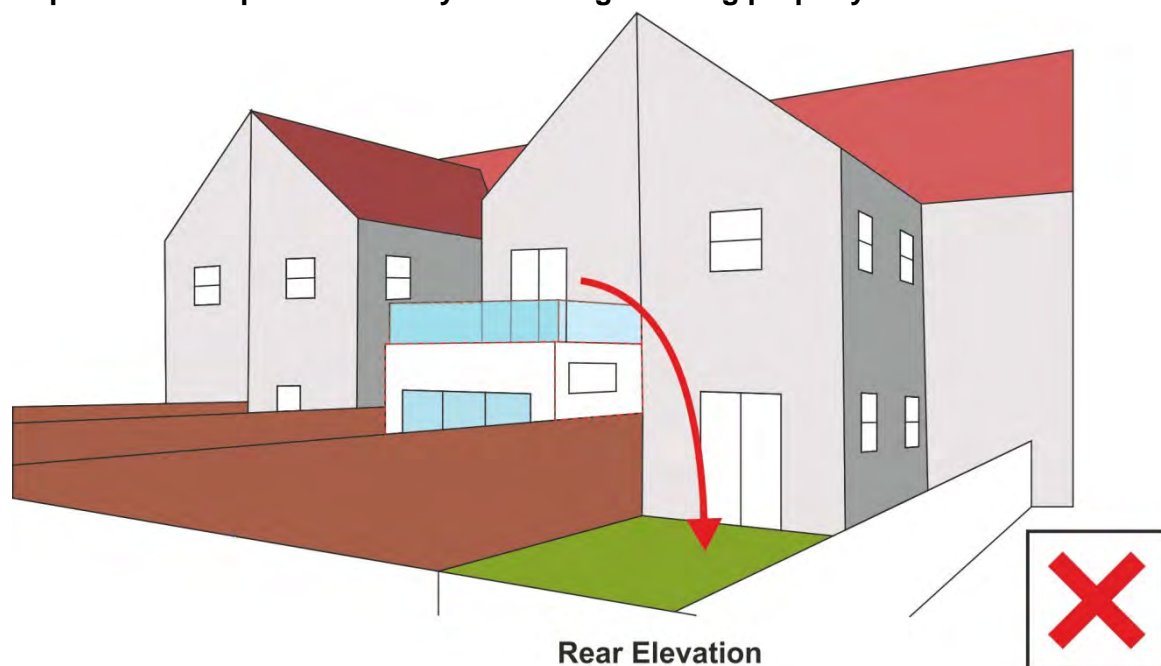
8.12.1. Key principles:

- i. The development must not result in direct and close range views into the habitable rooms of adjoining properties.
- ii. The development should not result in an unacceptable degree of overlooking into the garden of a neighbouring property.
- iii. Balconies and roof terraces should not dominate the elevation to which it is attached. Where attached to a semi-detached property, they should not unbalance the pair.
- iv. The detail and materials used should complement the character of the property.

8.12.2. Subject to context, possible design solutions could include:

- Appropriate screening can be used to minimise overlooking of neighbouring habitable rooms or garden, although care should be taken to ensure that the privacy screen is visually acceptable
- Setting the development away from shared boundaries.

Figure 11: An example of an unacceptable extension with roof terrace which compromises the private amenity of the neighbouring property



9. Impact on Neighbours

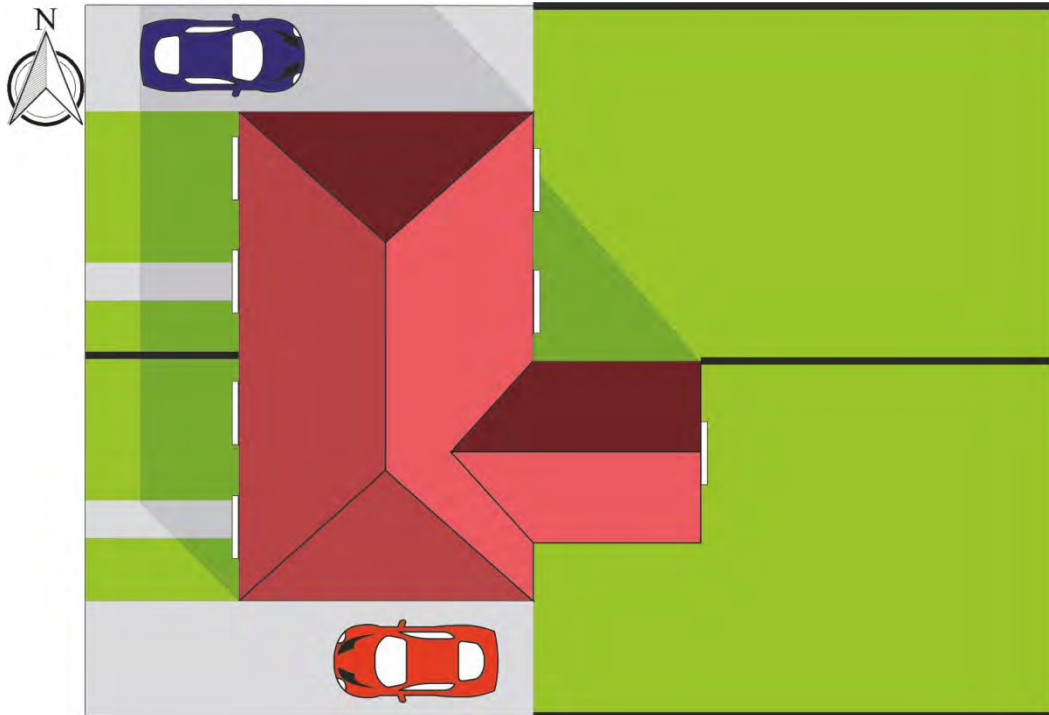
9.1. Overbearing and overshadowing impacts

9.1.1. Development can have a negative impact on a neighbour's amenity, depending on the size of it and its location in relation to the principal outlook of a neighbour's garden or rooms. Similarly, development that causes a harmful level of over shadowing will be considered un-neighbourly and, therefore, unacceptable. New development must ensure that your neighbour's existing residential amenity is safeguarded.

9.1.2. Key principles:

- i. Two-storey development, large single storey extensions and/or large structures should in most cases be set away from the boundary adjacent to the garden of a neighbour's property.
- ii. Development should not unreasonably enclose a neighbour's immediate outlook.
- iii. Development should not cast large shadows onto a neighbour's house or garden.
- iv. Development that results in a significant loss of daylight and / or sunlight to habitable rooms (i.e. living room, main bedroom, kitchen and dining room) or private garden areas of neighbouring properties are likely to be harmful.
- v. Thought should be given to the orientation of the development in relating to the sun so as to minimise its overshadowing impact on a neighbour's property.
- vi. Consideration should be given where there is a change in levels between your property and a neighbouring property must ensure that your neighbour's existing residential amenity is safeguarded.

Figure 12: Impact of extension over-shadowing neighbour's habitable rooms



9.1.3. Subject to the context of a site, possible design solutions to achieve a successful development could include:

- i. Carefully considering the scale of the existing buildings within your property and adjacent to it, to ensure that new development is of an appropriate scale in comparison. Any development, in particular extensions, should be proportionate to your house and the surrounding existing development.
- ii. Siting development away from neighbouring boundaries.
- iii. Setting back upper floors of new development from the ground floor element. (See Figure 6)
- iv. Development of one and half storeys.
- v. Using lower ridge heights or shallow pitched roofs.
- vi. Slope roofs away from the neighbour's property.

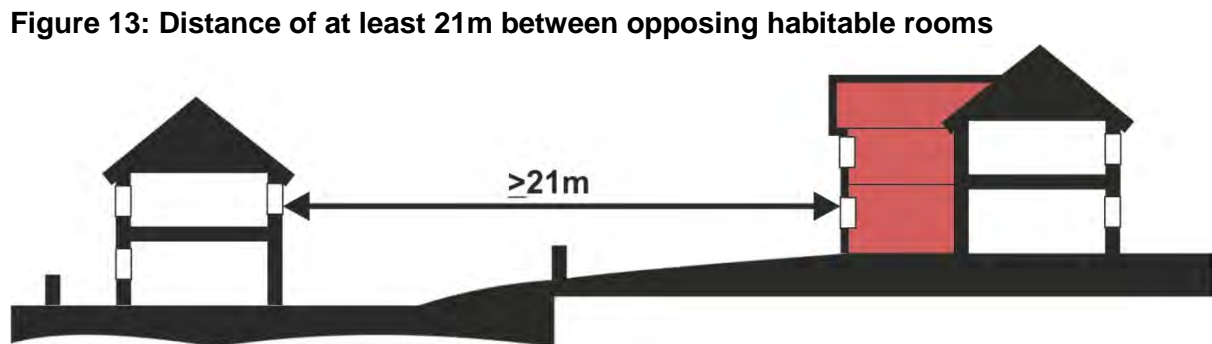
9.2. Privacy

- 9.2.1. A sense of privacy within a house and a private garden area is fundamental to the enjoyment of a residential property (i.e. residential amenity).
- 9.2.2. New development that has a negative impact on the existing level of privacy enjoyed by a neighbour should be avoided wherever possible. Where new development results in an unavoidable impact, careful consideration must be given its design to ensure that the impact is kept to an acceptable level so as to safeguard your neighbour's existing residential amenity.
- 9.2.3. For the purposes of this guidance, a habitable room means a room that occupiers spend a significant amount of time in undertaking activities that require a degree of privacy. These can include bedrooms, bathrooms, living rooms, dining rooms and kitchens.
- 9.2.4. Where windows in the neighbouring property or within the proposed development are obscurely glazed this may mitigate overlooking issues.

Design Standard:

3. A minimum distance of 21 metres* between opposing windows in habitable rooms should be achieved (see figure 13 below).

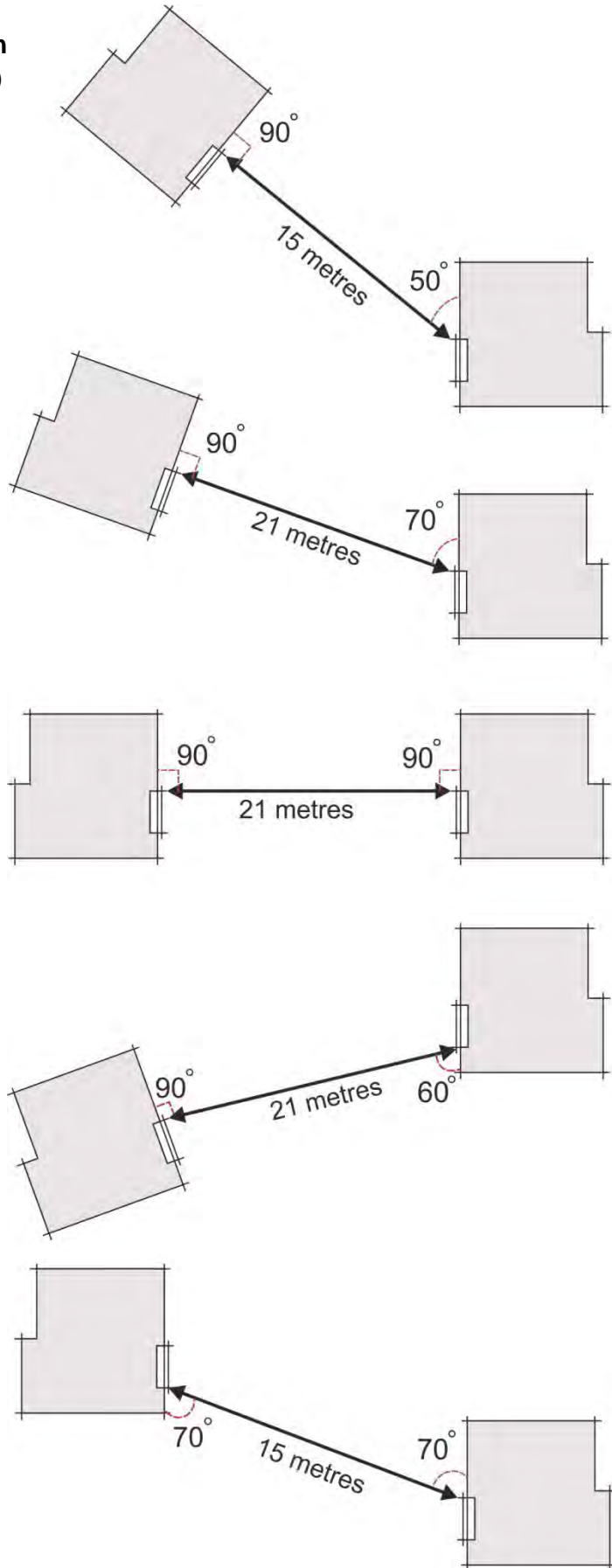
**Where there is a difference in levels, the distance will be measured horizontally between the properties.*



9.2.5. Key principles:

- i. Habitable room windows directly overlooking a neighbour's garden, in close proximity to boundaries, are likely to be harmful.
- ii. A minimum distance of 21 metres between opposing windows in habitable rooms should be achieved (see figure 14).
- iii. Where habitable room windows of a neighbouring property are at an angle of less than 90° to the habitable room windows in new development (i.e. windows not directly opposing), the minimum distance between the opposing windows may be reduced (see figures 14 and 15).

Figure 14: Distance between opposing habitable windows (metres)



The reduction of distance between principle windows is dependent upon the horizontal angle included between the shortest line joining any part of the principle window.

Figure 15: Distance between opposing habitable windows of dwelling (metres)

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

9.2.6. Subject to context, possible design solutions could include:

- i. The use of obscurely glazed and non-openable windows;
- ii. High level windows (1.7m above internal floor level); or
- iii. Angled / restricted view windows

9.3. Other Impacts on Neighbours

9.3.1. Householder and residential development can have other impacts on neighbouring properties.

9.3.2. **Noise** can adversely affect neighbouring amenity. Activities that may be incidental to a residential use (e.g. music studio, hobby mechanics etc.) can be noisy. Therefore, careful consideration should be given to the siting of buildings for such activities relative to neighbouring properties and the need for appropriate sound insulation.

9.3.3. **Lighting**, in particular powerful security lighting, can affect neighbouring amenity if light-spill occurs into neighbouring properties. Care should be taken to locate and direct lighting to minimise harmful impacts on neighbouring properties.

9.3.4. **Access / Parking** arrangements can be a source of contention between neighbours. Careful consideration should be given to protecting necessary access arrangements. To avoid disturbance caused by car doors slamming, parking areas should ideally be located away from the main private / quiet garden areas of neighbouring properties.

10. Amenity Space

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

10.2. There are different amenity standards for houses and flats, reflecting the fact that flats are necessarily served by shared facilities and services. In addition flats are often located in more urban and sustainable locations where higher densities are appropriate.

Design Standards:

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

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

5. For flats, between 12.5 sq.m and 20 sq.m of amenity space per person should be provided, depending on the size of development*. Communal areas of amenity space may be acceptable, but these must be directly accessible for all occupiers.

**typically a 1 or 2 bedroom flat would have 2 persons.*

1-20 people = 20 sq.m per person

21-40 people = 17.5 sq.m per person

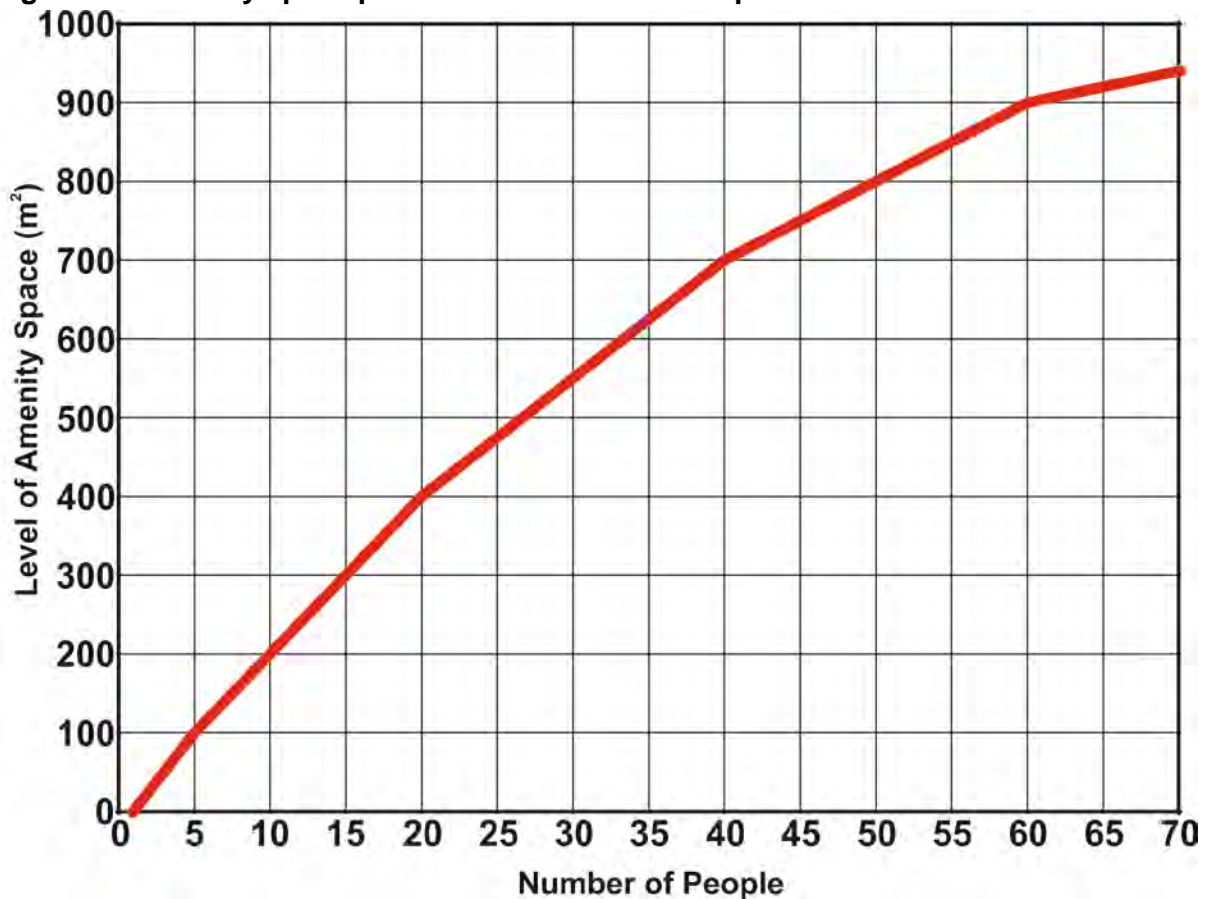
41-60 people = 15 sq.m per person

61+ people = 12.5 sq.m per person

10.3. Key principles:

- i. Proposals for new houses **or conversions to create new dwellings** and new householder development must ensure that an adequate provision of amenity space is provided and maintained.
- ii. Private (usually rear) gardens should not be of a useable shape, form and topography.
- iii. In flatted developments (including conversions) all units should be provided with direct access to amenity space within/through the site. Indirect access to amenity space (for example along the highway) will not be acceptable.

Figure 16: Amenity space provision for flatted developments



11. Access and Parking

- 11.1. You must obtain a separate technical approval and a license from the Council's Highways Maintenance Section if you intend to construct a new vehicular crossover, or if a new dropped kerb is required. Planning permission may be required to make a new means of access or widen an existing access from your property onto an adopted highway.
- 11.2. When planning a new development you should consider the impact it may have on the existing parking provision, particularly if the proposal results in the loss of part of the existing driveway or garage. Where there is an increase in the number of bedrooms, there may need to be an increase in parking provision.
- 11.3. The Vale of Glamorgan's Parking Standards SPG provides additional guidance on parking provision requirements, including the necessary dimensions of spaces.
- 11.4. Key principles:
- i. The access to a property should be safe. New development should not result in a detriment to the existing access arrangements or to highway safety.
 - ii. Gates and garage doors should not open out onto the public highway
 - iii. If a new vehicular access is off a main road or a very busy road, you may be required to provide a turning area within your property in order to allow vehicles to enter and leave your property in a forward gear.
 - iv. The provision of additional vehicle parking should not result in an unacceptable impact on amenity space provision and the appearance/character of the property and the wider street scene
 - v. Parking demand will be assessed on all new developments in accordance with the Council's Parking Standards SPG

12. Foul and Surface Water Drainage

12.1. When designing your new development you must consider how both foul and surface water will be disposed of. You are encouraged to consider the use of a sustainable means of disposing of surface water (i.e. rainwater) in your new development. If not appropriately disposed of, surface water runoff can contribute to flooding and pollution of nearby watercourses.

12.2. Key principles:

- i. Hard surfacing must not drain, either directly or indirectly, onto adjoining land or the adopted highway.
- ii. Hard surfacing (e.g. driveways, paths and patios) should be permeable (i.e. allow water to penetrate) or drain to a permeable surface within your property (e.g. a soakaway).
- iii. The landscaping within your property (e.g. lawns, planting borders, etc.) should be retained and enhanced as this will assist with surface water drainage within your property.

13. Landscaping and boundary treatments

13.1. Trees and other landscaping help make areas more attractive and make a positive contribution to the biodiversity of an area (see Biodiversity SPG). Landscaping is an essential element of good design. For these reasons, existing landscaping should be retained and enhanced. However, new development can often result in the loss of landscaping and, as such, it is essential that you consider how your development will impact upon existing landscaping and how it can be designed so as to incorporate new landscaping. Also see Trees and Development SPG.

13.2. Boundary treatments such as walls, railings and gates contribute to the character and attractiveness of the street scene. Enclosures also provide security and assist in defining the boundaries between public and private areas. Streets can become unattractive if frontage boundary treatments vary, are missing or excessive in their height.

13.3. Planning permission is required for the erection or addition to a fence, wall or gate if it is over 1 metre high and next to a highway used by vehicles (or the footpath of a highway used by vehicles); or over 2 metres high elsewhere.

13.4. Key principles:

- i. When determining the location of your new development, you must have regard to the potential impact of its construction on the root zone of existing trees. If existing trees are to be retained, development (including hard surfacing) must not be carried out underneath the canopy of a tree or within a 2 metre radius of smaller trees with an undeveloped crown.
- ii. During the course of new development, existing trees and substantial planting that is to be retained should be protected with fencing around the root zone to prevent damage during construction.
- iii. When proposing new planting, you should take into account the potential size of the plants when fully grown to ensure they do not dominate your garden.
- iv. Native species appropriate to the context should also be proposed.

- v. The materials, style and scale of new walls, fences and railings should take account of existing means of enclosures within the street scene, particularly where there is a consistent type and design.
- vi. Removing original front enclosures should be avoided as this can have a detrimental impact on the street scene. Where original walls or railings have been previously removed, consideration should be given to their reinstatement.
- vii. Boundary treatments should not interfere with driver visibility when leaving a property in the interests of highway safety.
- viii. Front enclosures should be low enough to see over in order to promote natural surveillance and help towards crime prevention.
- ix. Where the street was originally designed as open plan (i.e. if the front/side gardens in your area are not enclosed), boundary treatments may not be considered acceptable.

14. Renewable Energy

14.1. Solar Panels

14.1.1. The Council is supportive of renewable energy measures; however highly visible solar panels are unlikely to be acceptable in sensitive or very visually prominent areas such as Conservation Areas, Listed Buildings or on the front elevation of older and traditional houses.

14.1.2. Key principles:

- i. Solar panels should be positioned on the least visible roof slopes.
- ii. Solar panels should be installed flush with the roof plane, away from the eaves, verges and ridge.
- iii. Photovoltaic roof tiles should be considered in sensitive areas.

14.2. Domestic Wind Turbines

14.2.1. Due to the contemporary appearance of these structures, they are unlikely to be acceptable in sensitive or very prominent locations such as Conservation Areas, on Listed Buildings or front elevations.

14.2.2. Key principles:

- i. Wind turbines should be sited to minimise their visual impact (e.g. away from public roads and footpaths). A balance needs to be sought between the visual impact of the turbine and its performance.
- ii. The noise generated by a wind turbine should be minimised in order to safeguard the amenity of neighbouring occupiers.

15. Other Development

15.1. CCTV Cameras

15.1.1. Key principle:

- i. When erecting CCTV cameras you should consider their position, height and direction of sight in order to minimise their impact on the privacy (perceived or otherwise) of your neighbours.

15.2. Air Conditioning Units

15.2.1. Key principles:

- i. The units should be positioned on your property so as to minimise their visual impact.
- ii. Units should be positioned on less prominent elevations of your house.
- iii. The noise generated by the unit should be minimised in order to safeguard the amenity of neighbouring occupiers.

16. Contacts

Development Management

The Vale of Glamorgan Council

Docks Office

Barry Docks

Barry

CF63 4RT

Email: planning@valeofglamorgan.gov.uk

Development Management (Duty Planning Officer): Tel: 01446 704681

Building Control: Tel: 01446 704609 / 704842

17. Appendices

17.1. Appendix A - Validation Requirements Checklist

VALIDATION CHECKLISTS FOR PLANNING AND ASSOCIATED APPLICATIONS

Introduction to Validation Checklists

These notes provide the checklists for each development type and the kind of information required prior to the validation of an application. These can be used by applicants to determine what the Council requires to assist in the speedy processing of applications. Where the information required by us is not provided, the Authority will consider an application invalid.

The checklists are divided into three parts:

- **Part I** contains compulsory requirements for the submission of an application, including some matters that are required by law and other information that Vale of Glamorgan Council considers necessary in all cases;
- **Part II** contains suggested additional information that the Council deems to be important with certain application types; and
- **Part III** contains validation checklists outlining the requirements of different application types based on the information contained in Part II.

If the information that is required by these Parts is not included with any application, then the Vale of Glamorgan Council will be entitled to declare the application invalid and not register or process it. In this case, a letter will be sent to the applicant saying the application is invalid and stating what additional information is required. If an application is not accompanied by information outlined in these notes, the applicant should provide written justification with the application as to why it is considered not appropriate in that particular circumstance. It may also be that only certain parts of a particular assessment are not necessary and this should be justified in the accompanying statement. ***It is important that applicants demonstrate why additional information is not supplied to avoid delay, failure to do so may delay consideration of your application.***

Pre-application Advice

The Authority is able to provide pre-application advice for all types of applications (except householder) to guide applicants through the process and to ensure that applicants are aware of the information requirements. This is especially useful for larger and more complex schemes (such as those accompanied by a Statutory Environmental Impact Assessment) and those involving listed buildings and development in conservation areas. This can help minimise delays later in the determination process. It can also identify whether other permissions/consents may be required and the additional information required. When seeking advice, applicants should submit design proposals in writing for consideration by officers. Such initial or sketch plans should be submitted to ensure that real value is added by the process. Advice cannot be provided on the basis of phone only requests, when no proposals are submitted in writing or when a developer has no firm proposals. A written response will be provided as

the LPA's informal comments. A guidance note is available to explain this process fully. Some sites may require a meeting to discuss issues further.

The Vale of Glamorgan Unitary Development Plan

The supporting information required reflects the requirements of relevant policies of the UDP, which is available to view on the website at: www.valeofglamorgan.gov.uk
Development proposals should accord with relevant policies and proposals of this document unless material circumstances indicate otherwise.

Government Advice

Other material planning considerations include Planning Guidance provided by Central Government. Copies of Welsh Assembly Government, Technical Advice Notes and Circulars may be viewed on the Government website at www.wales.gov.uk and www.communities.gov.uk.

Part I

Compulsory Requirements

Applications may be submitted as either a hard copy or as an on-line application. Application forms can be obtained from the Vale of Glamorgan Council Offices at Docks Office, Barry CF63 4RT or on line at www.valeofglamorgan.gov.uk and an online application can be made via the Planning Portal at www.planningportal.gov.uk. When an application refers to the need for more than one copy of a plan or document, it is referring to this requirement for a hard copy application. Where an electronic application is submitted, only one copy will be required.

All applications for full planning permission must include:

- **The Completed Application Form**

The Vale of Glamorgan Council requires 4 copies, which must each be signed and dated.

Applications for Listed Building Consent involving demolition of all or part of a Listed Building require 10 copies.

- **The Correct Fee (where necessary)**

Please see the current fee sheet.

Applications for Listed Building Consent, Conservation Area Consent and those submitted under the Article 4 procedures in the Penarth Conservation Area do not attract a fee.

- **Ownership Certificates**

Under section 65(5) of the Town and Country Planning Act 1990, read in conjunction with Section 5 of The General Development Procedure Order 1995 and Section 11 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must not entertain an application for planning permission, Listed Building or Conservation Area consent unless the relevant certificates concerning the ownership of the application site have been completed. All applications must include the appropriate certificate of ownership.

An ownership certificate must be completed stating the ownership of the property. Certificates A, B, C and D are listed. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years.

- **Agricultural Holdings Certificate**

This certificate is required whether or not the site includes an agricultural holding. All agricultural tenants must be notified prior to the submission of the application. This certificate is not required if the applicant is making an application for tree preservation orders, or express consent to display an advertisement.

- **Part 1 Notice**

A notice to owners of the application site must be used if Certificate B has been completed and may be required if Certificate C has been completed. A copy should be served on each of the individuals identified in the relevant certificate.

- **A Location Plan**

All applications must include copies of an accurate location plan based on an up-to-date Ordnance Survey map at a scale of 1:1250 (urban areas only) or 1:2500 (imperial scales will not be accepted). 4 copies of this plan should be submitted. The location plan should show, at a minimum, two named roads where possible and all surrounding buildings named and numbered. These plans can be purchased from the Vale of Glamorgan Council or any Ordnance Survey Mapping and Data Centre. Full details can be found at www.valeofglamorgan.gov.uk

The application site should be edged clearly with a **red** line, including all land necessary to carry out the proposed development (for example land required for access to the site from a public highway, landscaping, car parking and visibility splays).

A **blue** line must be drawn around any other land owned by the applicant, close to or adjoining the application site.

- **Block Plan**

4 copies of a block plan should be submitted at a recognised metric scale of at least 1:500 (imperial scales will not be accepted). This plan should show accurately:

- (i) the direction North;
- (ii) the layout of the proposed development in relation to the site boundaries and other existing buildings on the site, with annotated dimensions;
- (iii) all the buildings, roads and footpaths on land immediately adjoining the site including access arrangements;
- (iv) the species, trunk position and accurate crown spread of all trees within the boundaries of the site and any proposed building works. Trunk diameters measured in millimetres at 1.5 metres height (or immediately above the roof flare for multi-stemmed trees) must also be provided; and
- (v) the boundary treatments, including walls or fencing where this is proposed.

- **Drawings**

4 copies of all drawings should be submitted at a metric scale of either 1:100 or 1:50 (Imperial scales will not be accepted). These drawings must include proposed floor plans and elevations where alterations are proposed together with existing floor plans and elevations. Where existing buildings or walls are to be demolished these should be clearly shown.

- **Sectional Drawings**

Cross-sectional drawings at a metric scale of at least 1:50 through the proposal to the adjoining land and buildings must be submitted where a proposal involves a change in ground levels and on sloping sites. Full information is required concerning alterations to levels, the way in which a proposal sits within the site and in particular the relative levels between existing and proposed buildings. The drawings of the proposal should include spot levels, finished floor levels and access gradients as appropriate.

- **Design and Access Statement**

Further guidance on design and access statements is available on the council's website. Design and Access Statements are mandatory from 1st June 2009 on all but Householder Applications and those involving the interiors only of listed buildings and other developments as specified in the guidance.

Part II

Additional Information

The Vale of Glamorgan Council may also request additional information prior to the validation of the application depending on the nature and type of application or the nature of the character of the area within which the application site is situated. Applicants are advised to seek advice on the need for such additional information at the pre-submission stage and to study relevant policies within the Vale of Glamorgan Unitary Development Plan, Supplementary Planning Guidance and National guidance to see what kind of information may be required. Such information could include:

- **Arboricultural Statement**

An arboricultural statement must be submitted showing how the tree constraints on and adjacent to the site have been correctly incorporated into the design and how these trees are to be retained without damage during construction and future occupancy.

The statement must be produced in line with the guidelines set out within BS5837:2005 and the Council's Supplementary Planning Guidance "Trees and Development" and shall include:

- (i) *Tree Survey Drawing and Schedule* - The survey shall provide clear data regarding the species, size, age, condition and useful life expectancy of trees. It shall also categorize trees, groups of trees or woodlands in terms of their quality and value within their *existing context* and not within the context of the proposals.
- (ii) *Arboricultural Constraints Plan (ACP)* - An aid to layout design that shows tree Root Protection Areas (RPA) as well as representing the effect that the mature height and spread of retained trees will have on the development. The ACP shall incorporate the tree survey information as well as illustrate both the above-ground (shade patterns) and below-ground RPA constraints posed by the trees.
- (iii) *Tree Protection Plan* - Scale drawing produced by an arboriculturalist showing the finalised layout proposals, tree retention and tree and landscape protection measures detailed within the arboricultural method.

(iv) *Arboricultural Statement. Method Statement (AMS)* - sets out the information regarding the measures to be taken to protect the trees shown to be retained on the submitted drawings. I also details the methodology for the implementation of any aspect of the proposal that has the potential to result in loss or damage to a tree.

Further advice is available in the Vale of Glamorgan Council's Supplementary Planning Guidance "Trees & Development".

- **Affordable Housing Statement**

Affordable housing will be required in accordance with the requirements of the Vale of Glamorgan Council's Adopted Unitary Development Plan and Supplementary Planning Guidance. Further Guidance is available in the Council's Supplementary Planning Guidance "Affordable Housing".

- **Agricultural/Forestry Dwelling Justification**

Where an application is made for a dwelling in association with agricultural/forestry need it will be required to demonstrate a functional and financial justification in accordance with government guidance.

- **Air Quality Assessment**

Application proposals that impact upon air quality or are potential pollutants should be supported by an air quality assessment indicating the change in air quality resulting from the proposed development and outlining appropriate mitigation measures as necessary.

- **Archaeological Sites and Scheduled Ancient Monuments**

Where a proposal is in an archaeologically sensitive area (including where a Scheduled Ancient Monument is at the site or nearby) prospective applicants should as a first step contact the [Glamorgan Gwent Archaeological Trust](#), Heathfield House, Heath Avenue, Swansea SA1 6EL (Tel. 01792 655208) or [CADW](#), Welsh Assembly Government, Plas Carew, Unit 5/7, Cefn Coed Parc, Nantgarw, Cardiff CF15 7QQ (Tel. 01443 336000). Supporting information shall be provided that includes an assessment and, where appropriate, field evaluation of the impact of the development on existing features and proposals to mitigate against that impact.

- **Conservation Area Assessment**

For proposed development in conservation areas (including any demolition), a written statement will be required that demonstrates how the scheme will preserve or enhance the character or appearance of the locality. The scope and degree of detail necessary in the written justification will vary according to the particular circumstances of each application. Further advice can also be found in TAN 12 Design and the Vale of Glamorgan Council's Conservation Area Appraisals.

- **Contaminated Land Assessment**

Some sites (especially those that have been previously developed) have the potential to be contaminated and therefore may pose a risk to current or future site occupiers, buildings on the site and to the environment. A contaminated land assessment may therefore be required. The level of information required as part of a land contamination assessment will vary depending on the known and/or suspected levels of contamination. For example:

- ◆ where contamination is suspected a desktop study will be required, involving an examination of available information, a walkover survey and assessment of the risks to human health and the environment. The need for further investigation may then be determined;
- ◆ where contamination is known to exist, in addition to a desktop study, a site investigation survey will be required incorporating a site-specific human health and environmental risk assessment with a written remediation scheme to manage identified risks. The developer shall submit a completion report validating the remediation carried out; and

- ◆ if the proposed development is situated within 250 metres of a former landfill site there will be a requirement for specific consideration of issues with ground gas.
- ◆ Comprehensive information and guidance on how to undertake a contaminated land assessment and the information that must be submitted is available in TAN 21 Waste.

- **Conversion Assessment for the Change of Use of Rural Buildings to Residential Use**

Where a proposal is submitted for the conversion of a rural building to a residential use (other than as an agricultural/forestry dwelling) a report should be submitted that demonstrates that it is not practical or viable to use the building for other purposes or there is an amenity or environmental reason why these purposes are not acceptable.

- **Details of any Lighting Scheme including a Light Pollution Assessment**

This should include technical specification designed to ensure nuisance from lighting is minimised/prevented.

- **Draft Travel Plan**

A draft travel plan is a requirement for larger applications and should outline the way in which the transport implications of the development are going to be managed in order to ensure the minimum environmental, social and economic impacts. Further advice is available in *'Using the planning process to secure travel plans: Best practice guidance'* - ODPM.

- **Energy Statement**

The statement should show the predicted energy demand of the proposed development and the degree to which the development meets current energy efficient standards.

- **Environmental Statement**

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require a developer to prepare an Environmental Statement for certain types of projects. The Regulations provide a checklist of matters to be considered for inclusion in the Statement and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

Applicants may seek a 'Screening Opinion' from the Council to ascertain whether or not an Environmental Statement is required. Applicants are encouraged to do this for large-scale developments or those within sensitive areas at the pre-submission stage in order to avoid delay later in the application process.

- **Flood Risk Assessment/Drainage Strategy**

A flood risk assessment may be required if a development falls within an Indicative Flood Plain or 'Flood Zone' – these maps are available from the Environment Agency. TAN 15: 'Development and Flood Risk' provides comprehensive guidance for applicants in relation to the undertaking of flood risk assessments and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

- **Landscape Assessment**

A significant proportion of the Vale lies within designated areas including the Heritage Coast and Special Landscape Areas. The Council is obliged to assess whether or not proposals preserve or enhance the character or appearance of this landscape. Particularly where proposals are in open countryside, on the fringe of settlements or potentially visible from a wider area, a written statement will be required that assesses the impact of the proposal on the area and provides a written justification for the development. The scope and degree of detail necessary will depend on the particular circumstances of the case but the assessment should include photographs/photomontages of the site and its surroundings and other illustrations such as perspectives.

- **Listed Building Appraisal and Drawings**

Vale of Glamorgan Council is legally obliged to preserve the special character and setting of its many listed buildings. It is essential that the Council be provided with detailed information that allows for the proper assessment of any proposed additions or alterations. Detailed advice and guidance notes are available on the Council's website or by contacting the Conservation and Design Team (01446 704626/8).

- **Nature Conservation/ Ecological Assessment**

Development proposals that may impact upon important species, habitats or sites (in particular those protected under national or European legislation or that are Section 74 species or habitats of principal importance for the conservation of biological diversity) must be accompanied by an ecological assessment of the proposed development site. Certain types of development are particularly likely to require ecological assessments, for example barn conversions.

The type of assessment will depend on the scale and type of development. The assessment should be carried out by a suitably qualified and experienced person and should include :-

- ◆ The current status of the site;
- ◆ A general description of the site;
- ◆ Presentation and analysis of existing ecological data;
- ◆ Up-to-date survey information for the site (carried out at an appropriate time of year), including survey methods;
- ◆ Evaluation of the ecological importance of the site;
- ◆ Impact of the proposed development on the nature conservation interests;
- ◆ Mitigation/compensation proposals;
- ◆ Habitat management, enhancement and creation proposals; and
- ◆ Net impacts on nature conservation interests.

This information might be incorporated into an Environment Statement, if one is necessary, and surveys should be carried out at a time of year that allows the main features of wildlife interest to be identified.

For further information refer to "Think Wildlife - Think Protected Species", guidance produced by the Glamorgan Biodiversity Advisory Group and the Gwent Biodiversity Action Group.

- **Noise Impact Assessment**

Application proposals that raise issues of disturbance or are considered to be a noise sensitive development should be supported by a Noise Impact Assessment prepared by a suitably qualified acoustician.

- **Non-Mains Sewage Disposal Details**

Applications made in areas where there is no mains sewerage/sewage disposal must be accompanied by a statement that demonstrates that the proposed sewerage system is appropriate. Please note that a private sewage treatment plant generally needs consent to discharge from the Environment Agency.

- **Planning Obligations**

Where appropriate the submitted application should include a draft Section 106 legal agreement or unilateral undertaking. Applicants should clarify the Council's requirements in pre-application discussions and confirm any planning obligations that they agree to provide. Further advice is available in Circular 1/97: Planning Obligations.

- **Pollution Statement**

Applications that involve development that could pollute the environment should demonstrate that the specific pollution is controlled to acceptable levels. The Council has a planning responsibility

to determine the location of potentially polluting development as well as controlling other development in proximity to any sources of pollution.

- **Retail Impact Assessment**

When a development could harm the vitality and viability of existing shopping centres, a retail impact assessment should be undertaken.

The assessment should include the need for development, which demonstrates it is of an appropriate scale, that there are no sites close to a town centre for the development, that there are no unacceptable impacts on existing centres and that locations are accessible. The Assessment must include a sequential assessment in accordance with Government guidance.

- **Sound Insulation Requirements**

Advice should be sought from the Council's Environmental Health Service for individual Council requirements for sound insulation in residential and commercial developments and from Building Control about the need to submit either a 'Full Plans' application under the building regulations or a Building Notice for the erection of most types of buildings, material alterations to existing buildings. Works will need to be inspected on site during the construction process.

- **Street-scene Elevations**

New buildings should be shown in context with adjacent buildings (including property numbers where applicable). Proposals with altered elevations that adjoin or are in close proximity to another building should also highlight this relationship, detailing the positions of the openings on each property.

- **Structural Survey**

A structural survey of a property may be required, for example, when considering listed building applications or the demolition of unlisted buildings that make a positive contribution to the conservation area. Surveys must accompany applications for the proposed conversion of agricultural and other rural buildings to residential use and replacement dwellings in the countryside.

- **Sunlight / Daylighting Assessment**

Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight / daylighting enjoyed by adjoining properties and building(s) – further guidance is provided in the Building Research Establishment's (BRE) guidelines on daylighting assessments.

- **Supporting Planning Statement**

Information will include how the proposed development accords with policies in the Unitary Development Plan, Regional Planning Guidance, Development Briefs, Supplementary Planning Guidance or Advice Notes. It should also include details of consultations with Vale of Glamorgan Council officers and wider community/statutory consultees undertaken prior to submission.

- **Sustainability Appraisal**

A sustainability appraisal should outline the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications. (please note the relevant supplementary planning guidance including an easy to complete check list is available at www.valeofglamorgan.gov.uk) and see 'Design and Access' statements.

- **Transport Assessment**

Information will include all existing and proposed commercial and residential vehicular and pedestrian movements to and from the site. Loading areas and arrangements for manoeuvring,

servicing and parking of vehicles should also be clearly identified. It should describe and analyse existing transport conditions, how the development would affect those conditions and any measures proposed to overcome any problems.

- **Ventilation/Extraction details**

All applications for restaurants, hot food takeaways and bars/pubs, which sell hot food, should include details of measures for fume extraction where they are proposed next to residential property. Residential property includes flats above neighbouring shops. The measures for fume extraction should include details of the mechanical equipment proposed, the location of any external pipe work or flues and the means by which a chimney would be capped to prevent ingress by rain.

PLANNING APPLICATION VALIDATION SUMMARY CHECKLIST

IN GENERAL

Your application MUST include the following:

- 1 original and 3 copies of the completed planning application forms, signed and dated
- 1 original copy of the Article 7 Certificate (Agricultural Holdings), signed and dated
- 1 original copy of the completed signed and dated Ownership Certificate (A, B, C or D)
- If applicable, details of any assistance or advice sought from a planning officer prior to submitting your application – please indicate dates of any correspondence or discussion and name of officer
- 4 original copies of an up to date location plan (Ordnance Survey based), at a scale of 1:1250 or 1:2500 to show at least two main roads and surrounding buildings and should show the direction of North
- The application site should be edged clearly with a red line and a blue line must be drawn around any adjoining land owned by the applicant
- 4 copies of any other drawings or documents required (see application specific checklist)
- Design and Access Statement (except for Household Applications) and other exceptions (see advice)
- The correct fee.

HOUSEHOLDER APPLICATIONS

The following additional plans will be required:

- 4 copies of the existing and proposed site layout at a scale of not less than 1:100 or 1:200. This should include all buildings and structures, gardens, open spaces and car parking in the context of adjacent buildings including the location of any window.
- 4 copies of the existing and proposed elevations to a scale of not less than 1:100
- 4 copies of existing and proposed floor plans at a scale of not less than 1:100

In addition to the information that MUST be submitted with your application, the following information may also be required:

- 4 copies of existing and proposed sections (scale not less than 1:100)
- Supporting Planning Statement
- New or Altered Access to a Public Highway or a Public Right of Way
- Details on existing and proposed car parking arrangements
- Drainage Strategy or Flood Risk Assessment
- Tree Survey

OTHER FULL PLANNING APPLICATIONS

If you are submitting all the details of new buildings, engineering works or extensions, the following additional plans will be required:

- 4 copies of the block plan of the site to a scale of not less than 1:500
- 4 copies of the existing and proposed elevations to a scale of not less than 1:100
- 4 copies of existing and proposed sections and finished floor levels at a scale of not less than 1:100
- 4 copies of existing and proposed floor plans at a scale of not less than 1:100
- 4 copies a site survey plan to a scale of not less than 1:200 showing existing features of the site e.g. walls, trees, buildings and other structures
- 4 copies of a site survey plan at scale of not less than 1:200 showing proposed features e.g. landscaping.
- Design and Access Statement

In addition to the information that **MUST be submitted with your application, the following information may also be required:**

- Transport Assessment
- Draft Travel Plan
- Environmental Statement
- Retail Assessment
- Design Statement
- Supporting Planning Statement
- Regeneration Assessment
- Air quality Assessment
- Noise Impact Assessment
- Sound Insulation Assessment
- Energy Statement
- Nature Conservation and Ecological Assessment
- Historical and Archaeological Assessment
- Listed building and Conservation Area appraisal
- Flood Impact Assessment
- Assessment for the treatment of foul sewage
- Utilities Statement
- Affordable housing statement
- Ventilation/extraction and refuse disposal details
- Structural Survey
- Tree Survey
- Lighting Assessment/Details of Lighting Scheme
- Sunlight/Day Lighting Assessment
- Planning Obligation(s)/Draft Heads of Terms

FULL PLANNING APPLICATION FOR CHANGE OF USE WITHOUT EXTERNAL BUILDING WORKS

For applications that involve changing the use of a building or land but are not proposing any external works to the building, the following additional plans will be required:

- 4 copies of the block plan of the site to a scale of not less than 1:500
- 4 copies of existing and proposed floor plans at a scale of not less than 1:100
- Access Statement

FULL PLANNING APPLICATION FOR CHANGE OF USE WITH EXTERNAL BUILDING WORKS

If your proposal involves the change of use of a building or land and involves external alterations e.g. construction of a flue, insertion of new windows, additional plans will be required:

- 4 copies of the block plan of the site to a scale of not less than 1:500
- 4 copies of the existing and proposed elevations to a scale of not less than 1:100
- 4 copies of existing and proposed sections at a scale of not less than 1:100
- 4 copies of existing and proposed floor plans at a scale of not less than 1:100
- 4 copies a site survey plan to a scale of not less than 1:200 showing existing features of the site e.g. walls, trees, buildings and other structures
- 4 copies of a site survey plan at scale of not less than 1:200 showing proposed features e.g. landscaping
- Design and Access Statement (as relevant - see advice)

In addition to the above, the following information may also be required for all change of use applications:

- Transport Assessment
- Draft Travel Plan
- Environmental Statement
- Regeneration Assessment
- Retail Assessment
- Sustainability Appraisal
- Supporting Planning Statement
- Air Quality Assessment
- Noise Impact Assessment
- Sound Insulation Assessment
- Energy Statement
- Assessment for the treatment of foul sewage
- Listed building and Conservation Area Appraisal
- Affordable Housing Statement
- Ventilation/extraction and refuse disposal details
- Structural Survey
- Lighting Assessment/Details of Lighting Scheme
- Sunlight/Day Lighting Assessment
- Planning Obligation(s) / Draft Heads of Terms

OUTLINE PLANNING APPLICATION

If you are proposing to erect buildings but do not wish to submit all the details at present, and would like to 'reserve' some or all of the details for future consideration, you will need to submit the following:

- 4 copies of the maximum envelope of the proposed buildings (to show whether the proposed floor space can be adequately accommodated within the site).
- 4 copies of other plans/drawings or details, which you would like to be considered at this stage, e.g. access arrangements, external appearance.
- Design and Access Statement
- Sustainability Appraisal

In addition to the information that MUST be submitted with your application, the following information may also be required:

- Transport Assessment
- Environmental Statement
- Supporting Planning Statement
- Design Statement
- Flood Impact Assessment
- Utilities Statement
- Tree Survey
- Planning Obligation(s) / Draft Heads of Terms
- Regeneration Assessment
- Energy Statement

PRIOR NOTIFICATION PROCEDURE

In addition to the form, the following information may also be required:

- Supporting Planning Statement
- Design Statement
- Access Statement
- Flood Impact Assessment
- Tree Survey

TELECOMMUNICATIONS

In addition to the information required to be submitted under Part 24 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) for a prior approval application and the requirements specified on the Council's application forms for planning permission it is recommended that the following information is also submitted in order to assist with the processing of the application:

- A signed declaration that the equipment and installation fully complies with the ICNIRP requirements
- Site type (micro or macro)
- Confirmation as to whether the Council's mast register and/or the industry site database has been checked for suitable sites
- Details of annual rollout and pre application discussions with the Council
- Details of all consultations carried out and copies of all written comments
- Details of any consultations carried out with a particular school or further education college if relevant
- Details of any consultation carried out with the CAA/Secretary of State for Defence/Aerodrome operator if relevant
- Area of search
- Details of the proposed structure including the type of structure and its dimensions, height of existing building and details of the size of equipment housing and materials
- A map showing the relationship of the application site to schools and other telecommunication equipment in the vicinity
- A statement explaining the reasons for the choice of the design
- Technical information including the frequency, modulation characteristics, power output and the height of the proposed antenna
- Technical justification - details about the purpose of the site and why the particular development is required
- Details of alternative sites rejected with a justification for rejecting them:
- This should include existing masts, structures and other buildings within the search area
- An explanation if no alternatives considered
- Visual impact assessment where relevant
- Acoustic report where relevant
- Any other relevant additional information

LISTED BUILDING AND CONSERVATION AREA CONSENT APPLICATIONS

For specific information requirements, please refer to the Council's website or to the Conservation and Design Team (Tel. 01446 704626/8).

CERTIFICATES OF LAWFULNESS

The burden of proof in a Lawful Development Certificate is firmly with the applicant and therefore sufficient and precise information should be provided. This may include the following:

- Existing and Proposed floor plans (for all applications involving use of a building) to a scale not less than 1:100
- Existing and proposed extensions (for all proposed building works) to a scale not less than 1:100
- Sworn Affidavit(s) or Statutory Declarations from people with personal knowledge of the existing use or works carried out
- Description of all uses of land within the site (if relevant)
- Supporting Planning Statement (to include statement of grounds on which the Certificate is sought)
- Any other Evidence as may be necessary such as utility bills or Council Tax statements.

TREE APPLICATIONS

Information that MUST be submitted with your application:

- 3 copies of dimensioned Plan showing the precise location of all tree(s).
- The trees should be numbered
- Tree Survey identifying the types of trees and full details of the proposed works e.g. thin crown by X%

In addition to the information that MUST be submitted with your application, the following information may also be required:

- Supporting Statement stating reasons for the proposed work
- Photographs

ADVERTISEMENT CONSENT

Information that MUST be submitted with your application:

- 3 copies of all Advertisement Drawings (showing advertisement size, position on the land or building, materials to be used, colours, height above the ground and extent of projection - all details to be in metric)
- If the advertisement is to be illuminated, give full details of the method of illumination, including the colour
- Site Plan scale 1:1250 (urban areas) or 1:2500 identifying the location of the site

In addition to the above, the following information may also be required:

- Photomontages
- Supporting Statement
- 3 copies of existing and proposed sections at a scale of not less than 1:100
- 3 copies of the advertisements in the context with adjacent buildings

18. Glossary

18.1. The following definitions are intended to assist in the use of this guidance document:

- **Amenity Space:** The garden space serving a property, including private garden space and front gardens, but not including a driveway.
- **Appearance:** The visual impression a property makes within the area within which it sits.
- **Character:** A description of the size, form, massing and architectural style of a property, a description of the open space within which the property sits and the relationship between the property and its open space.
- **Context:** The area within which a property is located and within which it will be viewed.
- **Form:** A description of the type of property (i.e. detached, semi-detached or terrace) as well as a description of its roof form and the shape of its footprint.
- **Habitable Rooms:** A room within a house that occupiers spend a significant amount of time in undertaking activities that require a degree of privacy.
- **Massing:** How a building is arranged and how its volume is broken up (e.g. is it formed of a number of single, two or three storey elements).
- **Proportionate:** Correct or suitable in size, amount, or degree when considered in relation to other buildings (e.g. the host property). In most cases this will mean subservient.
- **Residential Amenity:** A person's enjoyment of their own property.
- **Scale:** How large a building is when compared to neighbouring buildings.
- **Street Scene:** The appearance and character of the street within which a property is located, as this is viewed from the public highway or public area.

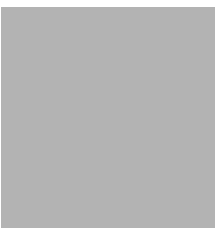
- **Subservient:** Smaller or subordinate in its proportions when considered in relation to other buildings.
- **Visual Amenity:** The pleasantness of a place.



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QUESTION 21





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