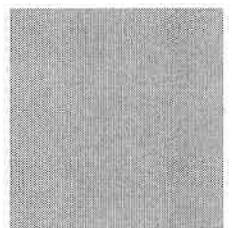




QUESTION 151



QUESTION 151



TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1971

THE COWBRIDGE RURAL DISTRICT COUNCIL (in exercise of functions delegated to them by the Glamorgan County Council under the Town and Country Planning Act 1962) in this order called "the authority" in pursuance of the powers conferred in that behalf by Sections 60 and 61 of the Town and Country Planning Act, 1971, and subject to the provisions of the Forestry Act, 1967, hereby make the following Order:-

1. In this Order:-

"the Act" means the Town and Country Planning Act, 1971;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; lessee (including a sub-lessee) or tenant in possession, the unexpired portion of whose lease or tenancy is three years or more and a mortgagee in possession; and

"the Secretary of State" means the Secretary of State for Wales.

2.—Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, or wilfully destroy or cause or permit the cutting down, topping, lopping or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto † which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3.—An application for consent made to the authority++ under article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.—(1) Where an application for consent is made (to the authority)++ under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5.—Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied -

(a) that the refusal or condition is in the interests of good forestry; or

(b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

++ When Tree Preservation Order is made by a District Council on behalf of a County Council an application for consent should be made to the District Council. See also note at foot of this page.

† Map to be a scale of not less than 25 inches to one mile, except in the case of large-woodlands when the scale shall be 6 inches to one mile.

NOTE.—If it is desired to fell any of the trees included in this Order whether included as trees, groups of trees or woodlands and the trees for the felling of which a licence is required under the Forestry Act, 1967, application must be made not to the authority for consent under this Order but to the Conservator of Forests for a licence under that Act (Section 15(5)).

6.—(1) Where consent is granted under this Order to fell any part of a woodland other than consent for silvicultural thinning then unless -

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or
- (b) the authority with the approval of the Secretary of State dispense with replanting,

the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is felled the owner shall, subject to the provision of this Order and section 175 of the Town and Country Planning Act, 1971, replant the said land in accordance with the direction.

(2) Any direction given under paragraph (1) of this Article may include requirements as to -

- (a) species;
- (b) number of trees per acre;
- (c) the erection and maintenance of fencing necessary for protection of the replanting;
- (d) the preparation of ground, draining, removal of brushwood, lop and top; and
- (e) protective measures against fire.

7.—On imposing any condition requiring the replacement of any tree under Article 4 of the Order, or on giving a direction under Article 6 of this Order with respect of the replanting of woodlands, the authority shall if such condition or direction relates to land in respect of which byelaws made by a river authority, a drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board, restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river authority, drainage board, the Conservators of the River Thames or the Lee Conservancy Catchment Board under those byelaws and the condition or direction shall have effect accordingly.

8.—The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9.—Subject to the provisions of this Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such loss or damage.

Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10.—In assessing compensation payable under the last preceding Article account shall be taken of:

- (a) any compensation or contribution which has been paid whether to the claimant or any other person, in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 60 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act, 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act, 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11.—(1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority, such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed.

(2) The time within which any claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Secretary of State, as the case may be, or where an appeal has been made to the Secretary of State against the decision of the authority, from the date of the decision of the Secretary of State on the appeal.

12.—Any question of disputed compensation shall be determined in accordance with the provisions of Section 179 of the Act.

13.—The provisions of section 61 of the Act shall apply to this Order and the Order shall take effect on 14th April, 1972.†

NOTE: Under sections 62, 102, and 103 of the Act, if a tree is wilfully cut down or destroyed, or if topping or lopping is carried out in such a way as to be likely to destroy the tree the fine is £250 or twice the value of the tree whichever is the greater; if any person contravenes the provisions of a tree preservation order otherwise than as mentioned in sub-section (1) of Section 102 of the Act, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding £2 for each day on which the contravention is continued. If a tree other than the one which is part of a woodland is removed or destroyed in contravention of the Order it is the duty of the owner of the land, unless on his application to the local authority dispense with the requirement, to plant another tree of appropriate size and species, at the same place as soon as he reasonably can.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY*

(encircled in black on the map)

No. on Map.	Description.	Situation.
A.	ASH TREE	RIVER WALK, LLANTWIT MAJOR.

TREES SPECIFIED BY REFERENCE TO AN AREA*

(within a dotted black line on the map)

No. on Map.	Description.	Situation.
-	N O N E	-

GROUPS OF TREES*

(within a broken black line on the map)

No. on Map.	Description.	Situation.
-	N O N E	-

WOODLANDS*

(within a continuous black line on the map)

No. on Map.	Description.	Situation.
-	N O N E	-

† This provision is not to be included unless it appears to the authority that the Order should take effect immediately.

* The word "NONE" must be entered where necessary.

1
-wtj

SECOND SCHEDULE

This Order shall not apply so as to require the consent of the authority to

- (1) the cutting down of any tree on land which is subject to a forestry dedication covenant where
 - (a) any positive covenants on the part of the owner of the land contained in the same deed as the forestry dedication covenant and at the time of the cutting down binding on the then owner of the land are fulfilled;
 - (b) the cutting down is in accordance with a plan of operations approved by the Forestry Commission under such deed.
- (2) the cutting down of any tree which is in accordance with a plan of operations approved by the Forestry Commission under the approved woodlands scheme.
- * (3) the cutting down, topping or lopping of a tree exempted from the provisions of this Order by section 60(6) of the Act namely a tree which is dying or dead or has become dangerous, or the cutting down topping or lopping of which is in compliance with obligations imposed by or under an Act of Parliament or so far as may be necessary for the prevention or abatement of a nuisance.
- (4) the cutting down, topping or lopping of a tree
 - (a) in pursuance of the power conferred on the Postmaster General by virtue of section 5 of the Telegraph (Construction) Act 1908;
 - (b) by or at the request of
 - (i) a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;
 - (ii) an electricity board within the meaning of the Electricity Act 1947, where such tree obstructs the construction by the board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act 1919 and the Electric Lighting Act 1882 or interferes or would interfere with the maintenance or working of any such line;
 - (iii) a river authority established under the Water Resources Act 1963 or a drainage board constituted or treated as having been constituted under the Land Drainage Act 1930, the Conservators of the River Thames, or the Lee Conservancy Catchment Board, where the tree interferes or would interfere with the exercise of any of the functions of such river authority, drainage board, Conservators of the River Thames, or Lee Conservancy Catchment Board, in relation to the maintenance improvement or construction of water courses or of drainage works; or
 - (iv) the Minister of Defence for the Royal Air Force, the Minister of Technology or the Board of Trade where in the opinion of such Minister or Board the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defence technical installations;
 - (c) where immediately required for the purpose of carrying out development authorised by the planning permission granted on an application made under Part III of the Act, or deemed to have been so granted for any of the purposes of that Part;
 - (d) which is a fruit tree cultivated for fruit production growing or standing on land comprised in an orchard or garden;
(Where the trees are within the area administered by the Conservators of the River Thames)
 - ((e) in pursuance of the powers conferred on the Conservators of the River Thames by virtue of section 105 of the Thames Conservancy Act 1932.)

*NOTE: Section 62(1) of the Act requires, unless on application of the owner the local authority dispense with the requirement, that any tree removed or destroyed under section 60(6) of the Town and Country Planning Act 1971, shall be replaced by another tree of appropriate size and species. In order to enable the planning authority to come to a decision, on whether or not to dispense with the requirement, notice of the proposed action should be given to the local planning authority which except in a case of emergency shall be of not less than five days.

T H I R D S C H E D U L E

Provisions of the following parts of Part III of the Town and Country Planning Act 1971 as adapted and modified to apply to this Order.

(a) Part III of the Town and Country Planning Act 1971

33. (1) Without prejudice to the following provisions, as to the revocation or modification of consents, any consent under the Order, including any direction as to replanting given by the authority on the granting of such consent, shall (except in so far as the consent otherwise provides), enure for the benefit of the land and of all persons for the time being interested therein.

35. Reference of applications to the Secretary of State. - (1) The Secretary of State may give directions to the authority requiring applications for consent under the Order to be referred to him instead of being dealt with by the authority.

(2) A direction under this section may relate either to a particular application or to applications of a class specified in the direction.

(3) Any application in respect of which a direction under this section has effect shall be referred to the Secretary of State accordingly.

(4) Where an application for consent under the Order is referred to the Secretary of State under this section, the provisions of Articles 4 and 5 of the Order shall apply as they apply to an application which falls to be determined by the authority.

(5) Before determining an application referred to him under this section the Secretary of State shall, if either the applicant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any application referred to him under this section shall be final.

36. Appeals against decisions. - (1) Where an application is made to the authority[†] for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions, or where any certificate or direction is given by the authority, the applicant, if he is aggrieved by their decision on the application, or by any such certificate, or the person directed if he is aggrieved by the direction, may by notice under this section appeal to the Secretary of State.

(2) A notice under this section shall be served in writing within twenty-eight days from the receipt of notification of the decision, certificate or direction, as the case may be, or such longer period as the Secretary of State may allow.

(3) Where an appeal is brought under this section from a decision, certificate or direction of the authority, the Secretary of State, subject to the following provisions of this section, may allow or dismiss the appeal, or may reverse or vary any part of the decision of the authority, whether the appeal relates to that part thereof or not, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

(4) Before determining an appeal under this section, the Secretary of State shall, if either the appellant or the authority so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(6) The decision of the Secretary of State on any appeal under this section shall be final.

37. Appeal in default of decision. - Where an application for consent under the Order is made to the authority, then unless within two months from the date of receipt of the application, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either -

(a) give notice to the applicant of their decision on the application; or

(b) give notice to him that the application has been referred to the Secretary of State in accordance with directions given under section 35 of the Act;

[†] When Tree Preservation Order is made by a District Council on behalf of a County Council an application for consent should be made to the District Council. See also note at foot of page 1.

the provisions of the last preceding section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the end of the said period of two months, or at the end of the said extended period, as the case may be.

45. Power to revoke or modify the consent under the order. - (1) If it appears to the authority that it is expedient to revoke or modify any consent under the Order granted on an application made under Article 3 of the Order, the authority may by Order revoke or modify the consent to such extent as they consider expedient.

(2) (Subject to the provisions of sections 61 and 46 of the Act) an Order under this section shall not take effect unless it is confirmed by the Secretary of State; and the Secretary of State may confirm any such Order submitted to him either without modification or subject to such modifications as he considers expedient.

(3) Where an authority submit an Order to the Secretary of State for his confirmation under this section, the authority shall furnish the Secretary of State with a statement their reason for making the Order and shall serve notice together with a copy of the aforesaid statement on the owner and on the occupier of the land affected, and on any other person who in their opinion will be affected by the Order, and if within the period of twenty-eight days from the service thereof any person on whom the notice is served so requires, the Secretary of State, before confirming the Order, shall afford to that person, and to the authority, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.

(4) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

Provided that the revocation or modification of consent shall not affect so much of those operations as has been previously carried out.

(5) Where a notice has been served in accordance with the provisions of subsection (3) of this section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Secretary of State under subsection (2) of this section.

46. Unopposed revocation or modification of consent. - (1) The following provisions shall have effect where the local planning authority have made an Order (hereinafter called "such Order") under section 45 above revoking or modifying any consent granted on an application made under a tree preservation order but have not submitted such Order to the Secretary of State for confirmation by him and the owner and the occupier of the land and all persons who in the authority's opinion will be effected by such Order have notified the authority in writing that they do not object to such Order.

(2) The authority shall advertise the fact that such Order has been made and the advertisement shall specify (a) the period (not less than twenty-eight days from the date on which the advertisement first appears) within which persons affected by such Order may give notice to the Secretary of State that they wish for an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose and (b) the period (not less than 14 days from the expiration of the period referred to in paragraph (a) above) at the expiration of which, if no such notice is given to the Secretary of State, such Order may take effect by virtue of this section and without being confirmed by the Secretary of State.

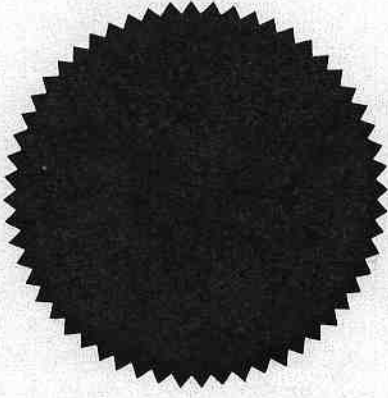
(3) The authority shall also serve notices to the same effect on the persons mentioned in subsection (1) above.

(4) The authority shall send a copy of any advertisement published under subsection (2) above to the Secretary of State, not more than three days after the publication.

(5) If within the period referred to in subsection (2) (a) above no person claiming to be affected by such Order has given notice to the Secretary of State as aforesaid and the Secretary of State has not directed that such Order be submitted to him for confirmation, such Order shall at the expiration of the period referred to in subsection (2) (b) of this section, take effect by virtue of this section and without being confirmed by the Secretary of State as required by section 45 (2) of the Act.

(6) This section does not apply to such Order revoking or modifying a consent granted or deemed to have been granted by the Secretary of State under Part III of Part IV or Part V of the Town and Country Planning Act 1971 or under an order modifying any conditions to which a planning permission is subject by virtue of Sections 41 and 42 of the Act.

G I V E N under the Common Seal of the
COWBRIDGE RURAL DISTRICT COUNCIL
the TWELFTH day of APRIL in the year
nineteen hundred and seventy-two



[Handwritten Signature]
.....
CHAIRMAN
[Handwritten Signature]
.....
CLERK

DATED 12TH APRIL 1972

COMBRIDGE RURAL DISTRICT COUNCIL
TREE PRESERVATION (NO.1) ORDER, 1972

TOWN AND COUNTRY PLANNING ACTS,
1962 and 1968

.....
TREE PRESERVATION ORDER
.....

relating to

ASH TREE

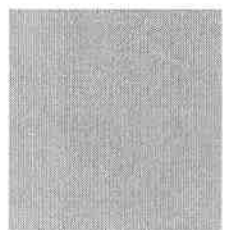
AT

RIVER WALK,

LIANTWIT MAJOR.



QUESTION 16b



QUESTION
16b



Date/Dyddiad: 18th August 2008

Ask for/Gofynwch am: Mrs. Lisa Chichester

Telephone/Rhif ffôn: (01446) 704691

Fax/Ffacs: (01446) 704847

Your Ref/Eich Cyf: APP/Z6950/A/08/2081005

My Ref/Cyf: P/DC/LMC/2007/01700/FUL

e-mail/e-bost: Planning&Transport@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

VALE of GLAMORGAN



SEE ATTACHED DISTRIBUTION LIST

Dear Madam,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) - SECTION 78 APPEAL

APPLICATION NO.: 2007/01700/FUL

SITE: PLOT ADJACENT TO 2, RIVER WALK, LLANTWIT MAJOR

PROPOSAL: NEW 3 BEDROOM DWELLING

APPEAL BY: MRS PAM CROSBY,

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. If you wish to make representations, or modify your earlier comments in any way, you should write direct to: - **The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ**, quoting reference **APP/Z6950/A/08/2081005** enclosing three copies of all correspondence. **Please note all representations will be published on the Planning Portal website (www.planningportal.gov.uk).**

Please ensure that any representations which you wish to make on this appeal are received by the Planning Inspectorate by **17 September 2008**. Any comments arriving after that date will not normally be seen by the Inspector and will be returned. If you wish to receive a copy of the appeal decision, please write to The Planning Inspectorate requesting that this be done.

A copy of the Council's decision and the appellant's grounds of appeal are available for inspection at the Council's Dock Office, Barry Docks. If you wish to inspect any document in connection with this appeal, please contact my Principal Officer, Miss J. M. Walsh, or her assistant, Mrs. Lisa Chichester, on 01446 704691.

Yours faithfully,

Head of Planning and Transportation

Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg

John Maitland Evans, Chief Executive/Prif Weithredwr

Directors/Cyfarwyddwyr: Sian Davies, Finance, ICT & Property Services/Cyllid, TGC ac Eiddo; Peter Evans, Legal, Public Protection and Housing Services / Gwasanaethau Cyfreithiol Amddiffyn y Cyhoedd a Thai; Bryan Jeffreys, Learning & Development/Dysgu a Datblygu; Rob Quick, Environmental & Economic Regeneration/Adnewyddu Amgylcheddol ac Economaidd; Philip Evans, Social Services/Gwasanaethau Cymdeithasol

Appeals Notifications Distribution List

Appeal Reference: 08/2081005

Name:	Address:	Date Sent:
Ms. C. Merrett,	3 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	18/8/08
Mr. Simon Payne,	4 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
H. Cope,	5 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
Mr & Mrs R Franklin,	6 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
Mr. Gary Cull,	7 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
The Occupier	8 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
The Occupier	9 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
Sue Eynon,	10 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	

Appeals Notifications Distribution List

Appeal Reference: 08/2081005

Name:	Address:	Date Sent:
Mr. Dennis V. Mealyer,	11 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	18/8/08
S. Morris,	12 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
Mr R J Squance	13 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
Mr. Peter Hellis,	14 River Walk, Llantwit Major, Vale of Glamorgan. CF61 1SY	
A. Jones,	Swimbridge Farm, Westhill Street, Llantwit Major, Vale of Glamorgan. CF61 1AE	
Llantwit Major Town Council	The Clerk, Llantwit Major Town Council, Town Hall, Church Street, Llantwit Major. CF61 1SD□	
Llant.MajorWd1	Councillor J. Clifford, 2 Wimbourne Close, Llantwit Major, Vale of Glamorgan. CF61 1QW	
Llant.MajorWd2	Councillor E. Hacker, 24, Llanmaes Road, Llantwit Major, Vale of Glamorgan. CF61 2XF	

Appeals Notifications Distribution List

Appeal Reference: 08/2081005

Name:	Address:	Date Sent:
Llant.MajorWd3	Councillor G. John, Ashgrove House, High Street, Llantwit Major. CF61 1SS	18/8/08
Llant.MajorWd4	Councillor S. Bagstaff, The Curriers, Wine Street, Llantwit Major. CF61 1RZ	
Environment Agency Wales	Catherine Anderson, Environment Agency Wales, St. Mellons Business Park, Fortran Road, Cardiff. CF3 0EY	



QUESTION 16bii

QUESTION
16bii

12 River Walk
Llantwit Major
Vale of Glamorgan
CF61 1SY
16 Jan 2008

Ref: Planning Application 2007/01700/FUL

Dear Sir/Madam

I wish to state my objections to the planning application for the development of the plot adjacent to No 2 River Walk. This development if allowed would be harmful to the character and appearance of the conservation area. The grade 2 listed cottage that overlooks River Walk would lose its privacy and screen the residents of River Walk a view of its lovely gardens.

The parking area in the plans would be fine for the owners but any visitors would have to park on the road. The extra traffic would cause problems in an already congested area, which is already used as a parking area for local churches (not St Illtyds) and would be a danger for the young children that live and play in the close.

The proposal would significantly reduce the openness of the area for which the residents have paid a higher price premium to enjoy compared to other areas of Llantwit Major.

Yours faithfully



S.Morris

5, River Walk,
Llantwit Major,
Vale of Glamorgan.
14th January 2008

Dear Mr. Thomas,

With reference to planning application number 2007/01700/FUL, a proposal to build a three bedroom dwelling adjacent to 2 River Walk, I would like to make the following comments:

1. Another house in the cul-de sac would, in my opinion, increase the parking difficulties for residents. The driveways to our houses are only large enough to accommodate one vehicle and many occupants own more, which have to be parked on the road. The shape of the road and pavements make it quite difficult for visitors to park and River Walk is also regularly used as an "overflow car-park" for the West House Hotel, especially in the Spring and Summer when there are many weddings at the hotel.

The increase in traffic whilst the proposed house is being built would add further to these difficulties.

2. I have looked at the plans for the proposed house and believe that the design is not in keeping with the buildings in this area. There are obvious issues with the listed farmhouse and outbuildings behind, the stone walls and trees that surround the plot. It is my understanding that when River Walk was being developed, that particular plot of land was not deemed large enough to accommodate a house and that is why one was not built there in the same style as the other houses in the cul-de-sac.

3. I would like some reassurances that the flow of the stream that runs directly along the end of the proposed plot would not be adversely affected by any building, foundation work and the laying down of new drains. There have been problems with flooding for some residents in the past.

Thankyou for taking the time to read my comments.

Yours sincerely,

A. Cope

6 River Walk
Llantwit Major
Vale of Glamorgan
S Glamorgan
CF61 9SY
11 January 2008

Ref: P/DC/SJB/2007/01700/FUL

Mr R Thomas/Mr S Bell
Vale of Glamorgan Council
Docks Office
Barry Docks
Barry
Vale of Glamorgan
CF63 4RT

Dear Mr Thomas/Mr Bell

Application Number: 2007/01700/FUL
Location: Plot adjacent to 2, River Walk, Llantwit Major
Proposal: New 3 Bedroom Dwelling

We are writing with reference to the above application and set out below the reasons we believe the proposed dwelling is unsuitable and should therefore be refused.

1. There have been 3 applications since the 1970's to erect a dwelling on this plot all of which were refused on, *inter alia*, the grounds that any construction work could damage the Ash tree which stands within the grounds, a tree which is protected by a preservation order. Being over 150 years old the tree will have extensive roots and we are concerned that they could easily be damaged by any construction work carried out on this site therefore jeopardising the survival of the tree.

The plot itself is relatively small and the proposed plans allow for a drive to accommodate two cars situated at the point farthest from the tree (as stated in paragraph 3 below this double drive is necessary as room to exit and turn in this part of the cul de sac is extremely limited and any additional cars parking on the road could constitute a safety risk). The inclusion of the drive at this point means it is necessary to build the house, and therefore dig the foundations, in close proximity to the Ash. With such an established tree it would surely be very difficult to legislate exactly where all the roots were situated and it would be a travesty if the survival of such an old and protected tree was compromised by a human miscalculation when digging foundations or carrying out other ancillary building works. In addition there appears to be little scope for adapting the proposed plans by changing the position of the drive, not only because this is where the current entrance is, but because the other end of the plot is where the road is at its narrowest point making it impossible, if not dangerous to be used as an access point to this plot. In our opinion

therefore, there does not appear to be any way of granting this application and also ensuring with 100% certainty the tree will not suffer damage which concerns us greatly.

2. The refusals of the various applications to build on this plot of land over the past 40 years must surely have set a highly persuasive precedent from which there seems very little reason to depart. There does not seem to be any compelling social or economic change to the surrounding area which justifies departing from the council's past approach. Not even the argument of the necessity of more housing seems particularly convincing as this would be a single dwelling which would do little to alleviate any shortage there may be in the housing market. Nor, given its location, is it likely to fall within the "affordable housing" sector which is the most pressing housing problem facing the country today. Accordingly, we see little justification on policy grounds for changing the historical approach of the government and granting this application.
3. When River Walk was first built in the 1970's most homes only owned one car and a single drive was sufficient. Now many of the occupants have two vehicles, the second of which, through necessity, are parked on the road. You will see from the plans that the proposed site forms part of a cul de sac, the round about of which is quite small and cars being parked in this area makes turning or exiting driveways extremely difficult. Even with a double drive to house any vehicles the occupiers of the proposed dwelling may own if the application were successful, it would still mean that there would be additional traffic using the area referred to above which the street cannot really accommodate. In addition there are a number of children living in River Walk. In today's climate parents do not want their young children playing unsupervised far from home and therefore these children regularly ride their bikes and play in the cul de sac itself. With this limited space already being used by more vehicles than was anticipated when the development was initially built, any additional vehicles using this space on a permanent basis could well cause a safety hazard to these youngsters.
4. Both my husband and myself vote for the party we believe will use their power to benefit our town and the surrounding community. Llantwit Major, particularly the old part, has its own charm which mostly reflects the council's apparent strategy to avoid over development. This dwelling seems unnecessary and in our opinion will in no way enhance the area, particularly that the positioning of the house will be at odds with the present lay out of River Walk. Indeed, the proposed external lay out will in no way reflect the style of the current houses which sadly will lead to an imbalance in what is currently a lovely estate.
2. There is also the issue of the existing sewers (and possibly other pipes) which we believe are situated under the site in question. Where would they be relocated to and at what inconvenience to the surrounding residents? It is one thing to allow someone to develop a plot, but even without what we consider to be the material issues outlined above, it seems inequitable that others who

are in no way involved with such a development should be inconvenienced in any way.

For the above reasons therefore, we would argue that the application be refused. Many thanks in advance for considering our objections and should you wish to discuss any of the above please do not hesitate to contact us.

Yours sincerely

Mr and Mrs R Franklin

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

05 January 2008

Swimbridge Farm
West Hill Street
Llantwit Major
Vale of Glamorgan
CF61 1AE

Re: Proposed Planning Plot adjacent to No 2 River Walk

Dear Sir

Thank you for your letter dated 13 Dec 07 regarding the proposed planning application.

Firstly, I am much opposed to the building on the aforementioned land as Swimbridge Farm is a listed building and a house build close to this would totally spoil the character of this historic farmhouse and would also disturb land which has ancient foundations of previous buildings on it.

Also on this land are trees which fall into the conservation area, such as ash and hazel which could be disturbed through development.

This land has been subject to previous planning applications which have failed in the past, mainly as a result of the lack of space for building on it.

The submitted plans also show a house with a lack of character to the area and also have no similarity to the existing houses in River Walk either.

Another concern is also the position of sewers which run in two directions through the plot, one being a main sewer.

It is my view and that of all the local residents that a house built on this plot would not enhance the area and a small green patch of original land these days is somewhat of a rarity and something that should exist in a small estate like River Walk and should not be spoiled by development to the detriment of the area and it's residents.


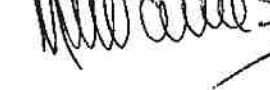


Yours faithfully



A Jones

ENC. PETITION.

**A Petition Opposing Potential Planning on plot adjacent to No 2
River Walk, Llantwit Major**

NAME	ADDRESS
D. Healy	9. River walk.
M. J. Rhall	19 — " —
Robert Pennell.	17 RIVER WALK.
P. HELLIS P. HELLIS	14 RIVER WALK. L.M.
J. HELLIS. M. HELLIS	14 RIVER WALK L.M.
A MORRIS A.M.	8. CASTLE COURT L.M.
Bryan Adams	2 CASTLE COURT LLANTWIT
	MAJOR.
	2 CASTLE COURT LLANTWIT
S. MORRIS 	12 RIVER WALK LLANTWIT
	MAJOR
Euan John Radoy	13 RIVER WALK LLANTWIT
	MAJOR Brook Cottage.

12

RECEIVED

15 JAN 2023

**ENVIRONMENTAL
AND ECONOMIC
REGENERATION**

**A Petition Opposing Potential Planning on plot adjacent to No 2
River Walk, Llantwit Major**

NAME	ADDRESS
Anton Jones.	Swimbridge Farm, West Hill SE.
Indira Ashwar	Hill Cottage, West Street
Regina Franbali	6 River walk
Elin Fry	1 " "
May Payne	4 River Walk
GARY CULL	7 RIVER WALK
Jo Cui	4 Voss Park Close
Craig Johnstone	4 Voss Park Close.
AM Pitcher	11 Denbigh Drive
P. Bull	34, Eagleswell Rd.
H. Cope	5, River Walk.
SIMON PAYNE	4 RIVER WALK.
Liam Edwards	8 RIVER WALK
K. Edwards	8 RIVER WALK
A. Venable	3 Ashfield Road
S. Kettle	" " "

17.

RECEIVED

15 JAN 2008

**ENVIRONMENTAL
AND ECONOMIC
REGENERATION**

7 River Walk
Llantwit Major
Vale of Glamorgan
CF61 1SY
9th January 2008

Planning and Transport Division
Vale of Glamorgan Council

Ref: Planning application No. 2007/01700/FUL

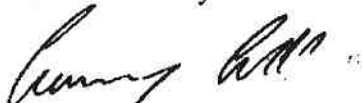
Dear Sir/Madam

I would like to strongly express my objections to the proposed building of a new 3 bedroom dwelling on the plot adjacent to 2, River Walk, Llantwit Major.

Reasons:

- When I purchased my property in 2002 I enquired about any development on the proposed plot and was informed by local residents that planning permission had been denied on at least 2 occasions – why should it be granted now?? - as any building would be totally unsightly and destroy the natural outlook towards the coastline from my and other properties.
- Parking in the close is a major problem with many more vehicles being owned by residents than would have been catered for when the properties were built in the 1960's. Because of the layout of the driveways, it can be difficult reversing out onto the road due to parked vehicles making this a hazard for any pedestrians walking especially children.
- From my experience in having worked in highway design, it is a major concern that any building on the plot would reduce vision of residents entering the close and other motorists, using the close to turn around, making it a hazard for the young children who play outside and ride on their scooters and bikes because of the lack of green area's.
- The area is in a flood risk zone and having personally suffered, along with No6, raw sewerage being expelled from the drainage system and covering the outside areas of my property because the storm water system cannot cope with the development that has taken place on Iltyd Fields. Any building on the plot will remove the natural drainage and exaggerate the problem.
- The large tree on the site has a preservation order on it and is a habitat for various forms of wildlife. It is a concern that any building works, especially foundations would lead to the damage to the roots and eventually the demise of the tree.
- The plot, in my opinion, is far too small to support any type of dwelling and will be detrimental to the quaint friendly environment of River Walk.

Yours faithfully



Gary Cull

Mr R.J. Squance,
13, River Walk,
Llantwit Major,
Vale of Glamorgan.
CF61 1SY

8th January 2008

Head of Planning & Transportation,
The Vale of Glamorgan Council,
Dock Office,
Barry Docks,
Barry,
Vale of Glamorgan.
CF63 4RT

Your Ref: P/DC/SJB/2007/01700/FUL

Dear Sir,

I am writing to register my objection to the proposed development referred to below.

Appl. No: 2007/01700/FUL
Location: Plot adjacent to 2, River Walk, Llantwit Major
Proposal: New 3 bedroom Dwelling

My primary objection relates to the fact that the proposed development site lies within a conservation area, immediately adjacent to the Grade II listed Swimbridge Farmhouse. All new development within a conservation area should be sympathetic to the special architectural and aesthetic qualities of the area, particularly in terms of scale, design, materials and space between buildings. The architectural design of the proposed new dwelling does not appear to be in keeping with other properties in either the immediate or wider area and therefore, I do not believe that it is sympathetic to the existing environment and certainly would not preserve or enhance the quality and character of the area.

In addition to the above point, it is likely that the proposed development would result in increased road traffic and 'on street' parking in River Walk, both during the construction phase and after. The net effect of this increased traffic flow and reduction in visibility (for both drivers and pedestrians) from the additional parked cars would be an increase in the risk of an accident, particularly to the young children who often play in the immediate area.

I am led to believe that this plot has been subject to at least one previous unsuccessful planning application. I do not see that the circumstances have changed significantly in recent years to now make it a suitable site for development.

(continued overleaf)

I wish to thank you for informing me of this planning application and would be grateful if you could keep me informed of any future developments in this matter.

Yours faithfully,



Robert Squance

NO:	1290
ACTION BY:	SJB/
RECEIVED	
DATE:	

2011/07/27 (A) TEL 101108

Tuesday, January 08, 2008

Mr. Simon Payne
4 River Walk
Llantwit Major
CF61 1SY

Mr. S J Ball
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Town and Country Planning Act, 1990 (as amended)
Application No. 2007/01700/FUL
Location: Plot adjacent to 2, River Walk, Llantwit Major
Proposal: New 3 Bedroom dwelling

Dear Mr. Ball,

Thank you for your recent letter dated 13th December 2007 regarding the above planning proposal.

We have viewed the plans in detail and I wish to bring to your attention some concerns that we have:-

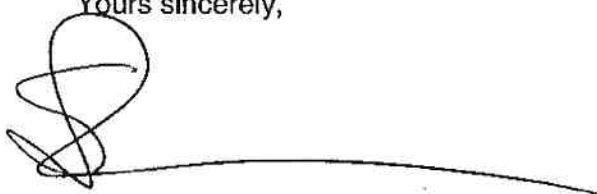
1. There are 6 children living in River Walk, who all frequently play in the close. Parking is already an issue and I have serious concerns about the increased traffic hazards created by an additional 3 bedroom dwelling, including the severe disruption that would be generated with building contractors.
2. There is dangerous blind spot on the bend of River Walk, made worse when people park there, this problem will be heightened when the proposed property will be built. It is important to note that a number of vehicles use the close daily just as a means to turn around.
3. We have strong feelings about the proposed design of the dwelling, it is not in keeping with rest of the close, or in fact any part of West End Town, in our opinion it resembles a Doctors Surgery, and does nothing to enhance the surrounding area.

4. I would be interested to hear your comments regarding the possible impact the dwelling would have on the river running through River Walk; it is worth noting that this river has on several occasions flooded in recent years causing drains in resident's gardens to overflow with sewage. I would require a commitment that the proposed dwelling would not increase the risk of this happening again?

Having spoken with most of the residents of River Walk, we personally believe this land would be far better suited for recreational purposes, a grassed area with a bench perhaps, for which we would happily share the up-keep and maintenance if required?

If you wish to discuss any aspect of this letter in more detail with me, please do not hesitate to contact me at the address above.

Yours sincerely,

A handwritten signature consisting of a large, stylized loop followed by a long horizontal line extending to the right.

Simon Payne

O'Keefe, Kevin T

From: dennis.mealyer@talktalk.net
Sent: 08 January 2008 17:51
To: Planning&Transport@valeofglamorgan.gov.uk
Subject: Mr S J Ball ref. P/DC/SJB/20070/FUL

Town & Country Planning Act 1990 (as amended)
Application No. 2007/01700/FUL
Location: Plat adjacent to 2, River Walk, Llantwit Major
Proposal: New 3 Bedroom Dwelling

Dear Sir:

I, Dennis Mealyer, am the Owner Occupier of Number 11 River Walk, and have been advised of the above proposal sent to my home address, and opened on my behalf, whilst I am traveling in the USA and not expected to return before 19/20 January. I have no information of the details, but conscious of the deadline set in your letter, and my late awareness, I respectfully would like following considerations via email, be made:

1. The plot of land is directly opposite my home and has been untended since I purchased my house
2. During purchase, I was advised that the original site development plan was refused permission to build on this plot, based as I understand, size was too limited, and tree preservation order.
3. Developer re-sited Number 2 to increase plot size, resubmitted again, without achieving approval

Note: If my understanding is correct, then unless Planning Act 1990 (as amended) has changed the guidelines, then the Original refusal should stand.

If above is irrelevant, and accepting that I do not have sight of proposed plans, I can only air the following concerns based on impact on my property are:

1. A 3 bedroom dwelling, if approved, seems inconsistent with development, as it will tend to fully occupy the plot, probably encroach on boundaries, and set out in a different manner to existing properties with front garden extending to wall marking edge of footpath, the wall being an essential element of the estate's cohesion
2. Consideration be given to foot and vehicle access, the current wall opening access adjacent to Number 2, be set as sole entry.
3. The river should not be encroached on in any way
4. Existing properties are laid out such that no one is directly overlooked, and wonder if my property and perhaps neighbours Nos 9,10, and 12, will, or will be facing out on end wall of new dwelling, or any privacy wall or fence.

Thank you for your consideration.

09/01/2008

Dennis V. Mealyer
11 River Walk
Llantwit Major,
Vale of Glamorgan
CF61 1SY

09/01/2008

Mr. Peter Hellis
14 River Walk
Llantwit Major
Vale of Glamorgan CF61 1SY
Tel:01446 792845

4 January, 2008

The Vale of Glamorgan Council
Your Ref:P/DC/SJB/2007/01700/FUL

Dear Sir or Madam:

With reference to the above planning application my wife and I feel that a two floor house on a plot with such narrow boundaries, and adjacent to the listed cottage, would be too intrusive in the conservation area. There are too many modern style buildings in the immediate area as it is! We also feel that some "accidental" damage to the old ash tree on the plot would also be inevitable during the building works which may lead to the demise of the tree. Therefore we both oppose the application.

Yours sincerely

Mr. P. Hellis
Mrs J. Hellis



10 River Walk
Llantwit Major
Vale of Glamorgan
CF61 1SY

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

5th January 2008

Dear Sir,

Application No. 2007/01700/FUL

Location: Plot adjacent to 2 River Walk

The river passes under River Walk where it leads into a circular Close at its northern end. The south-western quadrant of the Close is currently open where the river and the proposed development plot are. This open aspect continues along the western side of River Walk to its junction with Wine Street. The open aspect is created with the wide grassed, tree lined verge, footway, river and gardens to properties on West Street. This open aspect continues on the south side of Wine Street and beyond. Lying on the fringe of the old village this open aspect area is essential to the conservation character of the area.

The proposed development would have a detrimental effect on the conservation character of the area by making River Walk more hemmed in and reducing the amenity value of the footpath route which follows the river out of the northern end of River Walk.

I do not believe it is possible to construct a Two Storey dwelling, as proposed, whilst maintaining the open aspect and amenity value of this conservation area as the proposed development plot is relatively small and the building would be close to the road creating a hemmed-in atmosphere.

I therefore object to the current proposal to develop the plot of land. I would prefer there to be no development of the plot, however if a development was to take

place it should be limited to a Single Storey dwelling. Any development will inevitably add to traffic movement within the close but single storey dwelling is likely to have a lower occupancy rate than a two storey dwelling and generate less traffic.

Should any development be approved, the effects of its entrance on the turning capability within the Close and the reduction in on-street parking needs to be given careful consideration.

Yours faithfully

Sue Eynon

Owner of 10 River Walk

Ball, Steve J

From: John, Gwyn (Cllr)
Sent: 19 December 2007 19:13
To: Thomas, Rob
Cc: Bagstaff, Sally (Cllr); Hacker, Eric (Cllr); Ball, Steve J
Subject: Application No. 2007/01700/FUL

Dear Rob

I refer to the above application for a three bedroom house at River Walk, Llantwit Major, when considering this application the following points need to be brought to your attention :

- 1 There is a main sewer situated on the land where the house is to be built, I have photographs to support this claim from Mrs Heather March, formerly a Borough Councillor.
- 2 The new dwelling if built will be situated closely to a Grade 2 listed building.
- 3 The question needs to be asked, Is this an overdevelopment for this small plot of land ?

Regards
Gwyn

20/12/2007

29th December, 2007-12-29

Your ref: P/DC/SJB/2007/01700/FUL

Plot adjacent to No.2 River Walk, Llantwit Major

Dear Sir,

Thank you for your communication of 13th December. I have looked at the plans for the proposed new 3 bedroom dwelling on this site, and although I believe that this site needs improving from its present state of wilderness, I do not approve of the proposed house itself. It is certainly not in keeping with the present dwellings, and its arrangement of windows and doors is not at all attractive in its own appearance – the outside patio on the pine end of the house is particularly lacking in design.

I enclose for your attention a copy of the old plan for River Walk, on which you can see that a sewer runs behind nos. 3,2,1, before crossing diagonally the plot on which the new house is planned. It joins the main sewer lower in the same plot, where a sewer inspection point can be discovered underneath the present overgrowth of weeds and brambles. This main sewer comes across the road and runs towards the ash tree mentioned in the proposal. I can only assume this matter has already been noticed and is not a problem, otherwise the line of it will have to be altered as Liscombe had to do with the property marked as no.7 on the original plan. He did try twice to build another house on this land, which is why he renumbered the houses, starting with no.2 (in the hope that he could build a no.1 on the land now proposed for building). He didn't succeed, so we do not at present have a no.1 in River Walk.

Yours faithfully,

Cynthia M. Merrett

(Cynthia M. Merrett)
3 River Walk, (no.2 on the old plan),
Llantwit Major, Vale of Glam.,
CF61 1SY

PS. Would be delighted if the Vale purchased it, and kept it tended as an open piece of green land!

ENC.

