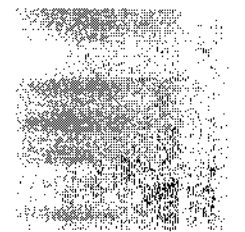


VALE of GLAMORGAN



QUESTIONNAIRE



QUESTIONNAIRE



APPEAL QUESTIONNAIRE

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

APPEAL REF: APP /Z6950/A/10/2130191

GRID REF: (E)318447(N)170783

APPEAL BY: Mr. & Mrs. C. B. Hancock

SITE: Rear of 3, Alberta Place, Penarth

PLEASE SEND THE COMPLETED QUESTIONNAIRE (TOGETHER WITH ANY ENCLOSURES) TO THE INSPECTORATE AND TO THE APPELLANT OR AGENT WITHIN 14 DAYS OF THE OF THE START DATE.

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 the Inspectorate within 6 weeks of the start date.

| | |
|---|--|
| 1. Do the Council agree to the written representations procedure? <u>OR</u> Do the Council wish to appear before and be heard by an Inspector at: a. a local inquiry? b. a hearing? | YES / NO YES / NO YES / NO |
| 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? b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? | YES / NO YES / NO <i>(If YES, please attach details)</i> |
| PLEASE REFER TO QUESTION 6.1b) OF APPEAL FORMS | |
| 3. Does the appeal relate to an application for approval of reserved matters? | YES / NO |
| 4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application? | YES / NO / NA |
| 5. Was it necessary for the Council to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990? | YES / NO |
| 6. Is the appeal site within an approved Green Belt or AONB? Please specify which | YES / NO |
| 7. 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? | YES / NO <i>(If YES, please attach details)</i> |
| 8. a. Are there any other appeals or matters relating to the same site or neighbourhood still before the National Assembly for Wales? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers. | YES / NO |
| b. Where the development would affect a public right of way, please provide an extract from the Definitive Map and Statement for the area, and any other details. | YES / NO |

| | |
|--|--|
| <p>9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)</p> | <p>YES / NO (If NO, go to Q11.)</p> |
| <p>10. Does the appeal relate to an application for conservation area consent?</p> | <p>YES / NO</p> |
| <p>11. a Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? (Delete as appropriate.)</p> | <p>YES / NO</p> |
| <p>b Would the proposed development affect the setting of a listed building?</p> | <p>YES / NO</p> |
| <p>If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)</p> | |
| <p>12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?</p> | <p>YES / NO</p> |
| <p>13. Would the proposals affect an Ancient Monument (whether scheduled or not)?</p> | <p>YES / NO</p> |
| <p>14. a Is the appeal site in or adjacent to or likely to affect an SSSI? If so, please attach the comments of the Countryside Council for Wales.</p> | <p>YES / NO</p> |
| <p>b. Are any protected species likely to be affected by the proposals? If so, please give details.</p> | <p>YES / NO</p> |

| | | | |
|--|--|---|---|
| <p>15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:</p> | | | |
| <p>a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If so, please indicate which Schedule</p> | <p>YES / NO Sch 1 Sch 2 col 1</p> | | |
| <p>b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?</p> | <p>YES / NO</p> | | |
| <p>c. Has a screening opinion been placed on Part 1 of the planning register?</p> | <p>YES / NO (If yes, please attach a copy)</p> | | |
| <p>d. Is flooding an issue?</p> | <p>YES / NO</p> | | |
| <p>i. If Yes, has a Flood Risk Assessment been submitted?</p> | <p>YES / NO</p> | | |
| <p>e. Any comments or directions received from the National Assembly for Wales, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;</p> | <p>No. Docs Enclosed N/A</p> <table border="1" data-bbox="1189 1780 1396 1926"> <tr> <td data-bbox="1189 1780 1292 1926">8</td> <td data-bbox="1292 1780 1396 1926"></td> </tr> </table> | 8 | |
| 8 | | | |
| <p>f. Any representations received as a result of an Article 7 (or Regulation 6) notice;</p> | <table border="1" data-bbox="1189 1937 1396 2016"> <tr> <td data-bbox="1189 1937 1292 2016"></td> <td data-bbox="1292 1937 1396 2016">✓</td> </tr> </table> | | ✓ |
| | ✓ | | |

| | | | |
|--|--|--|---|
| g. Copy of any notice published under Article 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and/or Regulation 5; or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and/or Regulation 5 | | | ✓ |
| h. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5); | | | ✓ |
| i. Details of any other applications or matters currently before the Council relating to the same site; | | | ✓ |
| j. In the case of appeals against non-determination, details of considerations likely to have been relevant to the Council's decision; | | | ✓ |
| k. A list of any conditions or limitations the Council would favour if the appeal were to be allowed; | | | |
| TO BE INCLUDED IN L.P.A.'S STATEMENT IF APPLICABLE. | | | |
| l. Any other relevant information or correspondence the Council consider the Inspectorate should be aware of. | | | |

TO BE INCLUDED IN L.P.A.'S STATEMENT IF APPLICABLE

| | |
|---|-----------------------|
| 16 a. Please confirm that; in accordance with the Regulations, you have notified details of the appeal to authorities and other persons who made representations to you about the application and on what date you did so | YES / NO |
| | 23/6/10. |
| b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire. | No. Docs Enclosed N/A |
| i Interested party notification letter | 2 |
| ii representations received from interested parties about the original application | ✓ |
| iii the planning officer's report to committee (officer delegated) | 1 |
| iv any relevant committee minute (Dealt with under L.P.A. officer delegated procedure) | ✓ |
| v 2 plans of the site - (1:10,000 & 1:1250) reproduced from O.S. digital map | 2 |
| 17. Relevant plans and policies - please enclose extracts of relevant policies and plans and explanations of these. Each extract should include the front page, showing the title of the plan and date of approval or adoption. Where plans and policies have not been approved or adopted, the stage and status of the plan should be given. | 2 |

| | |
|--|----------|
| 18. Do the documents listed above comprise the Council's full statement of case? | YES / NO |
| | YES / NO |

Council's reference: 2009/01203/FUL

I certify that a copy of this appeal questionnaire and any enclosures have today been sent to the appellant or agent.

Signature: L. Clifton on behalf of Council

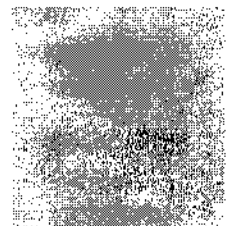
Date of despatch: 23/6/10

NB: PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.

*(Rev Sep 2006)



QUESTION 15e



QUESTION 15e



*S. Rennie***Penarth Town Council**

Rob Thomas - Head of Planning & Transportation

Shan Bowden - Town Clerk

Vale of Glamorgan Council
The Dock Office
Barry Dock
Barry
CF63 4RTWest House
Stanwell Road
Penarth
CF64 2YG

Telephone 02920 700721

Fax 02920 712574

Case Officer :

Date 18/12/2009

Application No 09/01203/FUL

Type : OFF.DEL.

Status : 0 New Application

Date Received : 27/11/2009

Applicant : Hancock Mr. & Mrs C.
c/o AgentAgent/Architect : James Carter: Alan Barker Pt'sp
Bank Chambers
92 Newport Road
CARDIFFLocation : 3 Alberta Place
Alberta Road
PENARTH

Parish :

N.G.R. :

Road Class :

Proposal : Alteration works to convert existing garage at rear of 3 Alberta Place into studio apartment.

TOWN AND COUNTRY PLANNING ACT 1990 - LOCAL COUNCIL OBSERVATIONS

Penarth Town Council have considered the Application No 09/01203/FUL and observations thereon are as follows :

THAT the application be approved subject to the Vale of Glamorgan Council assessing the need for obscure glass in the two windows facing the side of a neighbouring property in Sully Terrace.

SE Bowden

18/12/09.



Dŵr Cymru
Welsh Water

PO Box 10
Treharris
CF46 6XZ

Tel: +44 (0) 1443 331155
Fax: +44 (0) 1443 331161
Web site: www.dwrcymru.com

Blwch Post 10
Treharris
CF46 6XZ

Ffôn: +44 (0) 1443 331155
Ffacs: +44 (0) 1443 331161
Safle gwe: www.dwrcymru.com

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

Date: 11/12/2009
Enquiries Tel.: 01443331155
Our Ref.: 2009/DCWW/65017
Your Ref.: 2009/01203/FUL
Grid Ref.: ST1844670784

Dear Sir

Re: Alteration to existing garage into studio apartment. 3 Alberta Place, Penarth

Further to the above consultation we would provide the following comments:-

We would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Conditions

Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

No net increase of surface water shall be allowed to connect (either directly or indirectly) to 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 detriment to the environment.

Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

glas

Glas Cymru Cyfyngedig

Welsh Water is owned by Glas Cymru - a "not-for-profit" company
Mae Dŵr Cymru yn eiddo Glas Cymru - cwmni nid-ariel

We welcome correspondence in Welsh and English
Rydym yn croesawu gohebiaeth yn y Gymraeg neu yn Saesneg

NDC working with Dŵr Cymru in providing the
planning and development functions.

Dŵr Cymru Cyl, a limited company registered in
Wales no. 2368777. Registered office, Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

NDC yn cydwelthio a Dŵr Cymru ar ran waith cynllunio a
datblygu.

Dŵr Cymru Cyl, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2368777. Swyddfa gofrestredig: Heol Pentwyn,
Nelson, Treharris, Morgannwg Ganol CF46 6LY

Advisory Notes

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.

We hope the above is satisfactory. However, should you require further assistance please contact us on the above telephone number, quoting our reference.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Rhidian Clement', written in a cursive style.

Rhidian Clement
Planning Team Leader

Our response is based on the information provided by your application/enquiry. Should the information change then we reserve the right to make new representation.

O'Keefe, Kevin T

From: clive williams [clivewilliamsmb@hotmai.co.uk]
Sent: 25 November 2009 15:25
To: Planning & Transportation (Customer Care)
Subject: RE: Planning Application Consultation2009/01203/FUL3, Alberta Place, Penarth

Thank you Vivien, no comment at this time Regards Clive

Subject: Planning Application Consultation2009/01203/FUL3, Alberta Place, Penarth
Date: Wed, 25 Nov 2009 12:15:11 +0000
From: Planning&Transport@valeofglamorgan.gov.uk
To: cwilliams@valeofglamorgan.gov.uk

Please see the attached consultation letter regarding the above planning application which has been received by the Vale of Glamorgan Council. Please note that the web site is updated at the end of every day and the plans and application forms may not be

Fe all fod gwybodaeth freiniol a/neu gyfrinachol a/neu ddeunydd dan amodau hawlfraint y neges e-bost yma. Os nad y chi sydd i fod gael y neges, neu'r un sy'n gyfrifol am ei throsglwyddo, rhaid i chi beidio a'i chopio na'i throsglwyddo i neb un arall na'i defnyddio mewn unrhyw fodd o gwbl. Mae gwaharddiad ar i chi wneud hynny ac efallai y byddech chi'n torri'r gyfraith trwy wneud hynny. Dinistriwch y neges yma acanfonwch neges e-bost at y sawl a'i hanfonodd i roi gwybod iddo fe. Dydy Cyngor Bwrdeistref Sirol Bro Morgannwg ddim yn cymeradwyo unrhyw farn, casgliad na gwybodaeth sy heb fod yn ymwneud a'n materion swyddogol ni.

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Use Hotmail to send and receive mail from your different email accounts. [Find out how.](#)

Highway Observations

VALE of GLAMORGAN



BRO MORGANNWG

Application
09/01203/FUL

RE: 3 Alberta Place, Penarth

Further to a recent site inspection carried out in relation to the above application for the construction of a detached dwelling. The Highways Authority has no objection in principle, to this application subject to the applicant satisfying the following condition(s);

- 1) It is a normal requirement to provide off-street parking with this type of development. However, because of the proximity to Penarth Railway Station, bus links and local services, we would not insist on this requirement.

There are no specific conditions I wish to request, from the Highway Authority standpoint, or any grant of planning permission with regard to this planning application.

Brian Kelman
3rd December 2009

Planning Officer:- Mr. S. Rennie

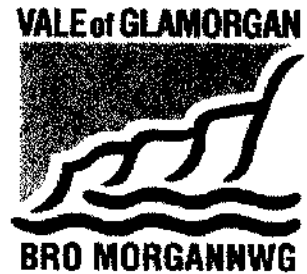
**CONSULTATION RESPONSE: HEAD OF ECONOMIC DEVELOPMENT & LEISURE
(ECOLOGY)**

**APPLICATION REFERENCE: 2009/01203/FUL
APPLICATION SITE: 3, Alberta Place, Penarth**

It is considered unlikely that the proposal will have a significant negative effect on protected or priority habitats or species. As such it is not considered reasonable to request survey work or consultation with CCW.

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Public Protection Services
Legal, Public Protection and Housing Services Directorate
Civic Offices, Holton Road
BARRY, CF63 4RU



To: Mr Steven Rennie

Dept / Adran:

Date/Dyddiad: 9 December 2009

Your Ref / Eich

Cyf:

From / Rebecca Athay

Oddi Wrth: Pollution Section

My Ref/Cyf REA/240514

Tel / Ffôn: 01446 709105

Fax / 01446 709449

Ffacs:

Subject /

Re: Planning Application No - 2009/01203/FUL

Testyn:

3 Alberta Place, Penarth, CF64 3DR

Alteration works to convert existing garage at rear of 3, Alberta Place into studio apartment

I refer to your memorandum received by this department on 7 December 2009, this department has No Comment to make regarding the above application.

Rebecca Athay
Environmental Health Officer



Cyngor Cefn Gwlad Cymru Countryside Council for Wales

CADEIRYDD/CHAIRMAN: JOHN LLOYD JONES OBE

Anfonwch eich ateb at/Please reply to:

Lynne Bonsall

Ffôn/Tel: 029 20 772400

Ffacs/Fax: 7 Castleton Court - 029 20 772412

Ebost/Email: l.bonsall@ccw.gov.uk

PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS

Rhanbarth De a Dwyrain / South & East Region

7 Cwrt Castleton / 7 Castleton Court

Ffordd Fortran / Fortran Road

Llaneirwg / St Mellons

CAERDYDD / CARDIFF

CF3 0LT

Mr Steven Rennie
Planning Officer
Planning & Transport
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Ein cyf/Our ref: C.09.96.01/1322323/LB/CC
Eich cyf/Your ref: 2009/01203/FUL

8 December 2009

Dear Mr Rennie

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 1999.**

**ALTERATION WORKS TO CONVERT EXISTING GARAGE AT REAR OF 3
ALBERTA PLACE, PENARTH INTO STUDIO APARTMENT.**

PLANNING APPLICATION 2009/01203/FUL

Thank you for your letter dated 25 November 2009, consulting us on the above application.

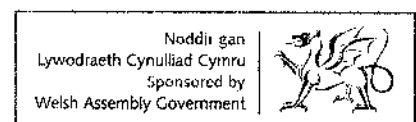
The Countryside Council for Wales (CCW) does not object to the proposal.

Please note that we have not considered possible effects on all local or regional interests. Therefore, you should not rule out the possibility of adverse effects on such interests, which would be relevant to your Authority's general duty to have regard to conserving biodiversity, as set out in section 40 of the Natural Environment and Rural Communities (NERC) Act (2006). We recommend that you speak to your Authority's Ecologist in this regard.

Should you wish to discuss any of the above points, please do not hesitate to contact me.

Yours sincerely

**Lynne Bonsall
Conservation Officer
Vale and Valleys**



Gofalu am natur Cymru – ar y tir ac yn y môr • Caring for our natural heritage – on land and in the sea

creu lle gwell
creating a better place

Received after application



Asiantaeth ymchwil
Amgylchedd Cymru
Environment
Agency Wales

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

Dyddiad/Date: 18/01/2010

Annwyl Syr/Madam / Dear Sir/Madam

PLANNING APPLICATION CONSULTATIONS – LOW RISK

Thank you for your recent consultations. The following advice applies to all of the attached applications.

We have no objection to the aforementioned planning consultations and our generic information note for developers applies. A copy of this guidance note is attached to this letter for your reference and use.

In replying to certain consultations we aim to maximise efficient use of resources by enabling our Planning Liaison team to focus their efforts towards those development schemes with greatest potential in terms of environmental impact, and I trust that you will find this practice acceptable.

I trust that the above is of assistance, although if you should require any further clarification or advice please do not hesitate to contact Zoe Ross Planning Liaison Officer (tel 02920 245023) in the first instance.

Yn ddiffuant / Yours sincerely

Zoe Ross
Planning Liaison Officer (02)

Deialu uniongyrchol/Direct dial 029 20 245023
Ffacs uniongyrchol/Direct fax 029 20 20362920
E-bost uniongyrchol/Direct e-mail zoe.ross@environment-agency.gov.uk



ENVIRONMENT AGENCY WALES "STANDARD ADVICE"

GUIDANCE NOTE FOR DEVELOPERS

It should be noted that this guidance note has not been designed to cover all issues, and where you have any query regarding its contents or other matters associated with the development you should contact the Agency immediately.

General Advice

1. All appropriate pollution control measures should be adopted to ensure that the water environment (both groundwater and surface water) is not polluted. If in any doubt contact the Environment Agency Wales (EAW).
2. The written consent of the Environment Agency will be required for any discharge (other than clean roof water) to a watercourse/ditch etc, from the site and may also be required for certain categories of discharges to land. All necessary Environment Agency consents must be obtained prior to works progressing on site.
3. You must prevent any discharge or seepage of cement from a mixer and/or cement slurry from e.g. washing out cement mixers and tools, into any watercourse.
4. If any oils tanks, fuels or chemicals are being stored on the site during the construction phase, they should be sited in an impermeable bunded area the capacity of which should exceed that which is stored by 10%.
5. Waste arising from the development must be disposed of in an appropriate way i.e. to a waste management facility using a registered waste carrier, and where possible it should be re-cycled. Certain wastes, for example asbestos are classed as Hazardous Wastes and must only be disposed of at an appropriate facility, permitted to take such wastes.
6. If you intend to import waste onto the site for use as e.g. hardcore, or are intending to use controlled waste for construction purposes, you must contact the Environment Agency immediately. This must be done in advance of any material being brought onto the site) to ensure that any necessary Waste Licenses or Exemptions are in place.
7. If during the construction/excavation works any contaminated material is revealed you must contact the Environment Agency immediately.
8. Any works (including temporary works) in, under, over or adjacent to any watercourse may require the formal consent of the Environment Agency prior to works commencing. In accordance with the Agency's "no-culverting" policy, consent for culverting will only normally be granted for site access purposes.
9. Any private sewage treatment / disposal facility must be installed and maintained in accordance with British Standard 6297, and Approved Document H of the Building Regulations 2000 (further details may be available from the local authority Building Control Officer). (NB. Private treatment facilities are not considered environmentally acceptable in publicly sewered areas).
10. If you intend to amend any of the details submitted in your planning application (e.g. the proposed drainage arrangements) you should contact the Local Planning Authority who may be required to reconsult the Environment Agency.

11. It is recommended that you consult with the Local Authority's Engineers Department in order to establish that should any surface water drainage from this site be discharged to a watercourse, ditch or culvert (excluding statutory main rivers) that such discharge will not cause or exacerbate any flooding in this catchment. Wherever practicable, Sustainable Urban Drainage Systems (SUDS) should be incorporated into the design.
12. It is recommended that you consult with the Local Authority's Engineers Department, who may hold records/additional information in respect of localised flooding problems.

Additional Criteria regarding Agricultural Development

The facilities must, where required, comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, as amended 1997.

Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991, the person who proposes to have control over any relevant storage installation is required to serve notice on the Agency specifying the type of structure to be used and its location at least 14 days before it is to be used for the keeping or storing of any relevant substance.

Slurry/silage liquor must be stored within a sealed system in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water".

Any manure arising from the process must be stored and disposed of in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water."

No manure should be stored within 10m of any watercourse, land drain or ditch.

The development must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water.

If you are in any doubt please contact the Environment Agency's Planning Liaison Team

Important Note regarding ALL Development Proposals

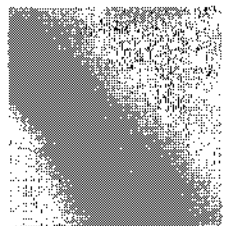
Grant of planning permission does not permit activities that require consent, licence, or permit under other legislation. It is the applicant's responsibility to ensure that all relevant authorisations are obtained before work commences. Activities that may require formal EAW approval (or review of an existing authorisation) include:

- Works in, under, over or near a watercourse
- Culverting/diverting a watercourse
- Discharges/emissions to the environment
- Keeping/storage/transfer of waste
- Abstraction of surface water/groundwater
- Fish Stocking
- Storage of chemicals, oils or other hazardous materials

EAW consenting procedures can take several months to complete, and early contact is therefore advised. Further information on EAW's responsibilities can be found on our website: www.environment-agency.gov.uk



QUESTION 16b



QUESTION
16b



Date/Dyddiad: 23rd June 2010

Ask for/Gofynwch am: Mrs. Lisa Chichester

Telephone/Rhif ffôn: (01446) 704691

Fax/Ffacs: (01446) 704847

Your Ref/Eich Cyf: APP/Z6950/A/10/2130191

My Ref/Cyf: P/DC/LMC/2009/01203/FUL

e-mail/e-bost: LMChichester@valeofglamorgan.gov.uk

The Vale of Glamorgan Council
Dock Office, Barry Docks, Barry CF63 4RT
Tel: (01446) 704600

Cyngor Bro Morgannwg
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT
Ffôn: (01446) 704600

www.valeofglamorgan.gov.uk

VALE of GLAMORGAN



SEE ATTACHED DISTRIBUTION LIST

Dear Sir/Madam,

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

APPLICATION NO.: 2009/01203/FUL

SITE: REAR OF 3, ALBERTA PLACE, PENARTH

PROPOSAL: ALTERATION WORKS TO CONVERT EXISTING GARAGE AT REAR OF 3, ALBERTA PLACE INTO STUDIO APARTMENT

APPEAL BY: MR. & MRS. C. B. HANCOCK,

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 any representations, you should use the enclosed forms and send these direct to **The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ**, quoting their reference **APP/Z6950/A/10/2130191**. You can also make your representations on-line at www.planningportal.gov.uk. **Please note all representations will be published on the Planning Portal website.**

Please ensure that any representations which you wish to make on this appeal are received by the Planning Inspectorate by **22 July 2010**. Any comments arriving after that date will not normally be seen by the Inspector and will be returned.

A copy of the appeal decision can be viewed on-line at www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp 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, Miss Justina Walsh on 01446 704690, or 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, IC1 & Property Services/Cyllid, TGC ac Eiddo; **Peter Evans**, Legal, Public Protection and Housing Services / Gwasanaethau Cyfreithol, Amddiffyn y Cyhoedd a Thai; **Bryan Jeffreys**, Learning & Development/Dysgu a Datblygu; **Rob Quick**, Environmental & Economic Regeneration/Adnewyddu, Arngychedol ac Economaidd; **Phil Evans**, Social Services/Gwasanaethau Cymdeithasol

Appeals Notifications Distribution List

Appeal Reference: 10/2130191

| Name: | Address: | Date Sent: 23/6/10 |
|--------------|--|-------------------------------------|
| The Occupier | 37 Sully Terrace, Penarth, Vale of Glamorgan CF64 3DS | |
| The Occupier | 38 Sully Terrace, Penarth, Vale of Glamorgan CF64 3DS | |
| The Occupier | 1 Alberta Place, Penarth, Vale of Glamorgan CF64 3DR | |
| The Occupier | 2 Alberta Place, Penarth, Vale of Glamorgan CF64 3DR | |
| The Occupier | 4 Alberta Place, Penarth, Vale of Glamorgan CF64 3DR | |
| The Occupier | 5 Alberta Place, Penarth, Vale of Glamorgan CF64 3DR | |
| The Occupier | 6 Alberta Place, Penarth, Vale of Glamorgan CF64 3DR | |
| The Occupier | 94 Westbourne Road, Penarth, Vale of Glamorgan CF64 3HG | |

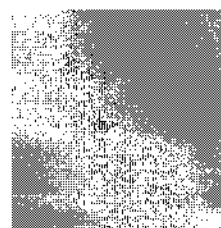
Appeals Notifications Distribution List

Appeal Reference: 10/2130191

| Name: | Address: | Date Sent: |
|--------------------------------|--|-------------------|
| The Occupier | 96 Westbourne Road, Penarth, Vale of Glamorgan CF64 3HG | 23/6/10 |
| The Occupier | 98 Westbourne Road, Penarth, Vale of Glamorgan CF64 3HG | |
| The Occupier | 100 Westbourne Road, Penarth, Vale of Glamorgan CF64 3HG | |
| The Clerk, | Penarth Town Council, West House, Stanwell Road, Penarth. CF64 2YG | |
| Councillor A. Clive Williams, | 2 Cherwell Road, Penarth, Vale of Glamorgan. CF64 3PE | |
| Councillor Mrs. M. Kelly-Owen, | Sea Roads, Cliff Parade, Penarth. CF64 5BP | |



QUESTION 16biii



QUESTION
16biii

Mr. & Mrs. C. B. Hancock c/o James Carter, Alan Bark Partnership
James Carter : Alan Barker, Bank Chambers, 92, Newport Road, Cardiff,
CF24 1DG

3, Alberta Place, Penarth

Alteration works to convert existing garage at rear of 3, Alberta Place into studio apartment

SITE AND CONTEXT

The site is a recently built domestic garage to the end of the garden of No. 3 Alberta Place. The property is on a corner plot with the garage fronting onto Sully Terrace. 3 Alberta Place is at the end of the terrace of three and is a two storey brick house with slate roof. The house has a long garden with the garage, built under planning permission Ref: 02/01724/FUL, being located at the end of this garden.

The garage is set back from the pavement behind a pair of wooden gates. The garage is a wide structure with a single garage door. There is a pitched slate roof with timber cladding for the gable facing the road. The garage is attached to the neighbour's smaller garden store, which was built under the same planning permission.

DESCRIPTION OF DEVELOPMENT

The proposal is to change the use of the garage from an ancillary domestic outbuilding to a small independent dwelling, being described as a studio apartment. This is to accommodate the owners of No. 3 Alberta Square as they rent out the main house though want small scale accommodation in Penarth when they are in the UK, though for the foreseeable future they are travelling overseas.

The alterations to the garage are minimal from the exterior, with a timber wall with two sets of double windows which will still be behind the roller shutter (for security reasons) for most of the year. Internally, the dwelling will comprise of a bed-sit area, a dressing room, WC/shower room and a kitchen/dining area. An area of the garden of No. 3 Alberta Place is to be allocated for the new dwelling, with bin storage also included. No off-street parking provision has been included with the proposals.

PLANNING HISTORY

2002/01724/FUL: 2/3, Alberta Place, Penarth - Proposed garage and garden store. Approved 7 February 2003.

2001/01491/FUL: 3, Alberta Place, Penarth - Alterations to existing external openings and new French doors to gable elevation. Approved 18 January 2002.

CONSULTATIONS

Penarth Town Council – No objection though suggested obscure glazing for windows that face the neighbour at Sully Terrace;

Environment Agency Wales – No comments received;

The Head of Visible Services (Highway Development) – Will not insist on off-street parking provision, as the site is well served by public transport links in close proximity.

Countryside Council for Wales – No objections though should consult local ecologist;

Plymouth Ward Member – No comments received.

Dwr Cymru/Welsh Water – No objection subject to conditions relating to drainage;

The Council's Ecology Officer – Stated that the development is unlikely to have a negative effect to protected species;

The Director of Legal, Public Protection and Housing Services (Environmental Health) – No objections.

REPRESENTATIONS

Nos. 37 and 38 Sully Terrace, Nos. 94, 96, 98 and 100 Westbourne Road and Nos. 1, 2, 4, 5, 6 Alberta Place were consulted on the 25 November 2009. There have been no comments received from neighbours.

REPORT

Planning Policies

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

HOUS2 of the Unitary Development Plan identifies Penarth as an area where housing infill, small-scale development and redevelopment may be acceptable. This is subject to the criteria outlined in Policy HOUS8 - Residential Development Criteria, which states:

- i. THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;
- ii. THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;

- iii. THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- iv. WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;
- v. THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- vi. ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.

HOUS11 of the UDP relates to Residential Privacy and Space and states that existing residential areas characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

ENV27 of the UDP refers to the Design of New Developments and is also a criteria based policy that requires that new development has full regard to the context of the local natural and built environment and its special features.

TRAN10 relates to Parking and requires the provision of parking in accordance with Council's guidelines subject to type of land use, its density and location; accessibility to public transport; and the capacity of the highway network.

The Council also has Supplementary Planning Guidance (SPG) including an SPG on Amenity Standards which, in addition to requirements in relation to levels and quality of amenity space, contains policies relating to privacy, overshadowing and visual amenity.

National guidance is contained in Planning Policy Wales March 2002. Paragraph 9.3.4 states:

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

In addition paragraph 9.3.3 states:

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

In assessing the proposal against the above policies and guidance the following points are noted.

Issues

- Size and design of resultant apartment
- Parking provision
- Impact to neighbour amenities

Considerations

Character and Appearance

The proposed development is for the use of a domestic garage, currently ancillary to 3 Albert Place, as an independent dwelling. It will essentially form a new dwelling, independent from its host dwelling at No. 3 Albert Place. Though the garage will not be extended or physically altered in any significant way, the use of the building will change with it being used as a dwelling and not an outbuilding to a larger property.

As the existing building is not proposed to be extended as part of the proposals, the dwelling to be formed will be relatively small, described as a studio apartment by the applicant. It measures approximately 6.7m x 5.7m, with a bed-sit living area, kitchen/dining area, a dressing room and a WC/shower. The accommodation is limited, though this application is to provide the owners of No. 3 Albert Place with short term accommodation when they are not travelling. They rent out the main house and therefore require separate accommodation when they are in Penarth. However, the application would result in an independent dwelling if approved, that could be sold off or rented out and occupied on a more permanent basis. Therefore, despite the personal circumstances of the applicant, the proposals should be considered simply as a change of use to a dwelling that could potentially be used on a permanent basis if circumstances changed with the applicant.

The existing garage is in a good condition, built only several years ago. It is located to the rear of the house, though as the site is a corner plot it faces onto Sully Terrace. Generally, the character of the area comprises of simple red brick terraced houses with slate roofs, all of which being two storey. The neighbouring houses have small front gardens with larger rear gardens backing onto the lanes. The houses appear to be Victorian or early 20th Century in age. The proposals though, would result in a single storey detached dwelling, very different in appearance from other dwellings within the street scene.

Whilst there may be little in the way of visible differences relating to the development, it has to be considered that if this garage is to be used as an independent bungalow, it will introduce another residential dwelling into the street. It must also be considered whether it would be acceptable to have a dwelling that will have the appearance of a converted garage in this location.

As a garage, the appearance of the building is typical, functional and generally in keeping with standard residential garages. However, as a dwelling the size, form and appearance would be at odds with the street scene (being at the end of a terrace), resulting in an incongruous and out of character dwelling in this location. The existing garage has an acceptable visual relationship to the host dwelling and within the street scene, though as a self-contained dwelling it would have an uncomfortable visual relationship with the neighbouring dwellings due to their significant difference in form and their close proximity. The converted garage would still appear within the street scene as an outbuilding, even though it will in fact be an independent dwelling. This adds to the perception that this is a poorly conceived proposal, which would result in a new dwelling that does not fit comfortably within the street scene, to the detriment of the character of the area.

Amenity Space

Another concern is the impact to amenity space as a result of the proposals. Whilst the garden area for the newly formed dwelling is just about sufficient, the proposals would result in a deficiency of provision with regards to the host dwelling at No. 3 Alberta Place. This is based on the required standards set out in the Supplementary Planning Guidance 'Amenity Standards' of 1m² of amenity space per 1m² of dwelling floorspace. From our approximated calculations the resultant garden space to serve No. 3 Alberta Place is significantly under this required threshold as a result of the proposed development.

Impact to neighbour amenities

The dwelling as proposed would have two windows facing the nearest neighbour at 38 Sully Terrace. These windows serve the dressing room and the bed-sit area. These windows would face directly onto the side of the neighbour's house at close proximity. As these windows would be directly on the boundary it would be required that they should be obscure glazed and fixed shut to avoid any undue overlooking to the detriment of the neighbour's privacy.

Parking provision

The proposed change of use of the garage to an independent dwelling would result in the loss of parking provision for No. 3 Alberta Place and also would result in a new dwelling within the street with no off-street parking. However, Sully Terrace has an existing level of on-street parking, with enough spaces generally to avoid a parking problem. It is also considered that this site is close to the town centre with good public transport links.

Overall, whilst the scheme is acceptable in terms of parking provision, design of the alterations, and impact to neighbours, the concern remains that the proposals would result in a dwelling that would be of an incongruous design within the street scene, to the detriment of the character of the area.

CONCLUSION

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

Having regard to Policies HOUS2 (Additional Residential Development), HOUS8 (Residential Development Criteria), HOUS11 (Residential Privacy and Space) ENV27 (Design of New Developments) and TRAN10 (Parking) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards; and national guidance contained in Planning Policy Wales March 2002; it is considered that the proposals represent the unacceptable development of the site, which will result in a dwelling of an unacceptable form and appearance, out of character with the street scene and being an overly-contrived and incongruous form of development, with a resultant deficiency of amenity space for the occupiers of the existing dwelling.

RECOMMENDATION – OFFICER DELEGATED

REFUSE

1. Having regard to Policies HOUS2 (Additional Residential Development), HOUS8 (Residential Development Criteria), ENV27 (Design of New Developments) and TRAN10 (Parking) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards; and national guidance contained in Planning Policy Wales March 2002; it is considered that the proposals represent the unacceptable development of the site, which will result in a dwelling of an unacceptable form and appearance, out of character with the street scene and being an overly-contrived and incongruous form of development, with a resultant deficiency of amenity space for the occupiers of the existing dwelling.

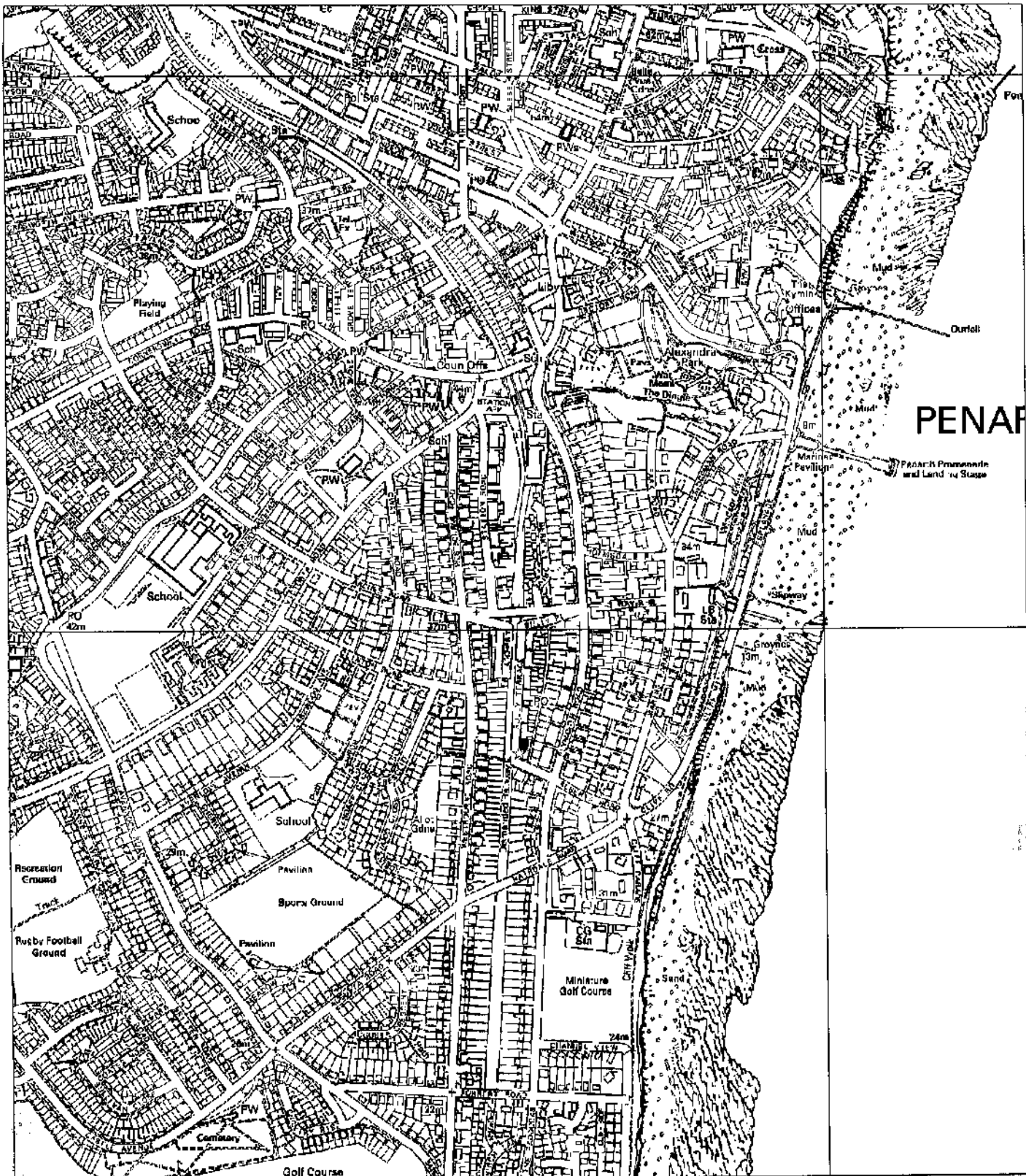


QUESTION 16b

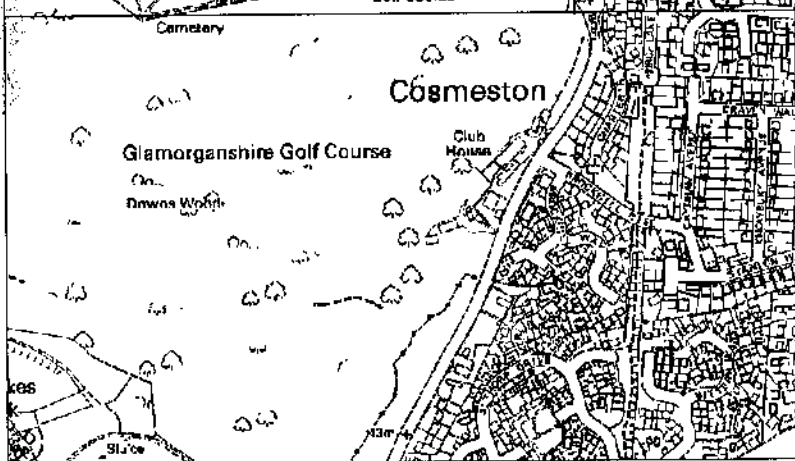


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16b





PENARTH

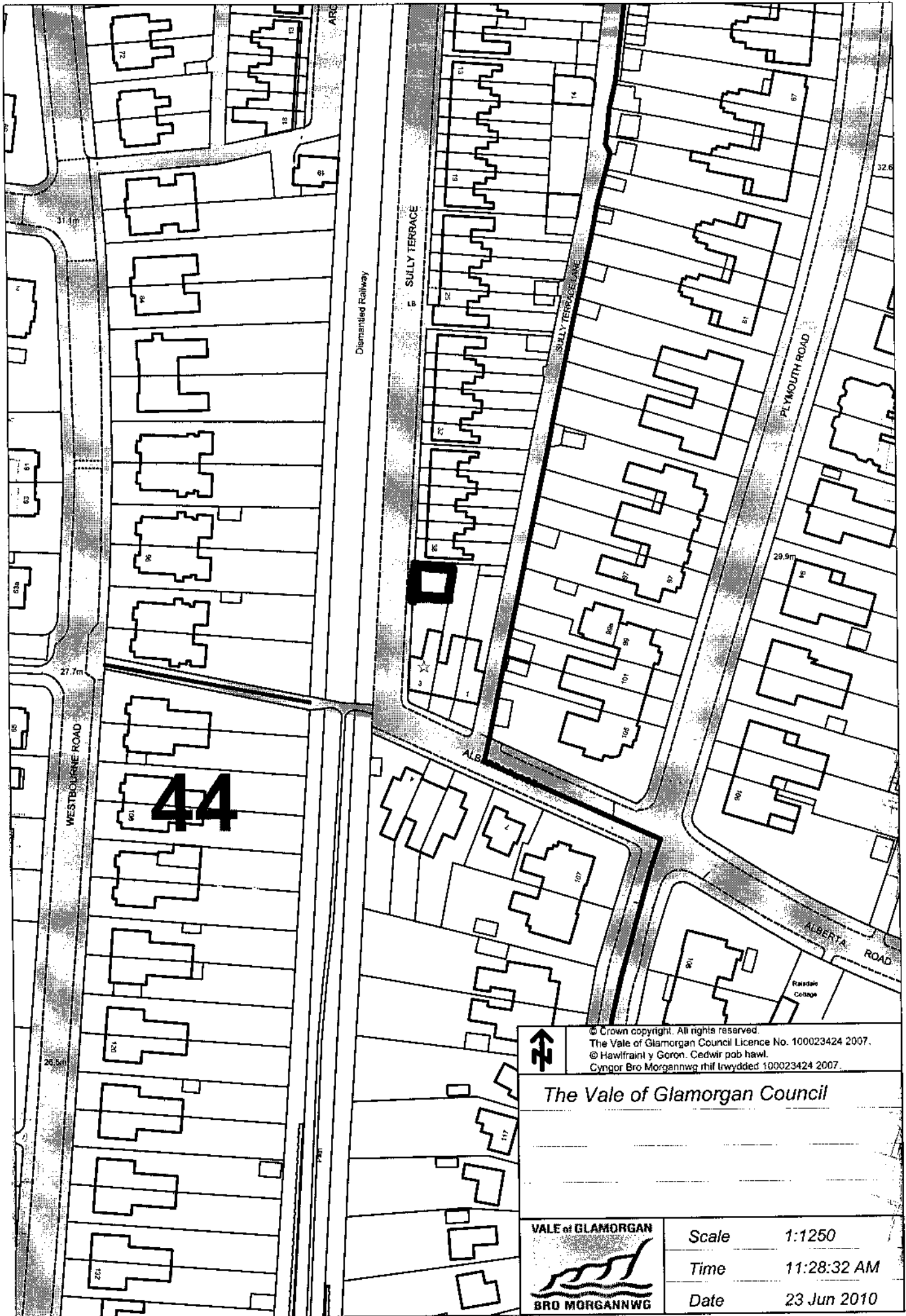


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The Vale of Glamorgan Council



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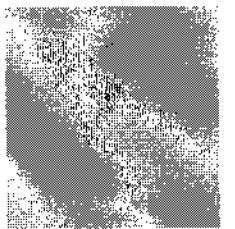
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QUESTION 17



QUESTION
17



The Vale of Glamorgan

***Adopted
Unitary
Development
Plan***

1996 - 2011

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

Director of Environmental and
Economic Regeneration

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

Head of Planning and Transportation

POLICY HOUS 2 - ADDITIONAL RESIDENTIAL DEVELOPMENT

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

URBAN SETTLEMENTS OF:

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

RURAL SETTLEMENTS OF:

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

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

4.4.61 The settlement boundaries for the villages contained in Policy HOUS 2 are illustrated on the Proposals Map.

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

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

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

POLICY HOUS 3 - DWELLINGS IN THE COUNTRYSIDE

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

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

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

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

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

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

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

POLICY HOUS 9 - CONVERSION OF LARGE DWELLINGS

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

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

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

The Vale of Glamorgan Adopted Unitary Development Plan 1996-2011

Errata Sheet

| <u>Page Number</u> | <u>Amendment</u> |
|--------------------|---|
| 106 | <p>Policy HOUS 8 – Residential Development Criteria – Policy HOUS 2 settlements should read:</p> <p>SUBJECT TO THE PROVISIONS OF POLICY HOUS 2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:</p> <ul style="list-style-type: none">(i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;(ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;(iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;(iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;(v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;(vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED. |

people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past and present mental disorder, and Class C2 also includes the personal care of children and medical care and treatment."

POLICY HOUS 11 - RESIDENTIAL PRIVACY AND SPACE

EXISTING RESIDENTIAL AREAS CHARACTERISED BY HIGH STANDARDS OF PRIVACY AND SPACIOUSNESS WILL BE PROTECTED AGAINST OVER DEVELOPMENT AND INSENSITIVE OR INAPPROPRIATE INFILLING.

- 4.4.81 This policy aims to protect existing high quality housing areas from over development or insensitive or inappropriate infilling. A similar policy was introduced by the Secretary of State for Wales in his approval of the South Glamorgan Structure Plan Proposals for Alteration No. 1 in 1989. Account should also be taken of the Council's Approved Amenity Standards.

POLICY HOUS 12 - AFFORDABLE HOUSING

THE COUNCIL WILL WHERE THERE IS A DEMONSTRABLE NEED, SEEK TO NEGOTIATE WITH DEVELOPERS FOR THE INCLUSION OF A REASONABLE ELEMENT OF AFFORDABLE HOUSING IN SUBSTANTIAL DEVELOPMENT SCHEMES. CLEAR AND ADEQUATE ARRANGEMENTS SHOULD BE MADE TO ENSURE THAT THE BENEFITS OF SUCH HOUSING ARE SECURED FOR INITIAL AND SUBSEQUENT OCCUPANTS.

- 4.4.82 For the purposes of this Policy a substantial development is defined as a housing development of more than 50 units. Affordable housing is defined in Technical Advice Note (Wales) 2 'Planning and Affordable Housing' to encompass both low cost, market and subsidised housing (irrespective of tenure, exclusive or shared ownership, or financial arrangements) that will be available to people who cannot afford to occupy houses generally available on the open market.
- 4.4.83 The level of affordability will vary over geographical areas and over time according to incomes and the operation of the local housing market.
- 4.4.84 The Council's Housing Strategy aims to ensure that as far as resources permit, residents occupy accommodation which is adequate for their needs in terms of size, fitness for occupation and cost. This will be achieved largely through the co-ordination of policies and proposals aimed at providing affordable housing in the Council's Housing Strategy and Operation Programme (HSOP) and the Vale of Glamorgan Unitary Development Plan.
- 4.4.85 The starting point for the provision of affordable housing will be an assessment of the level and geographical distribution of housing need in the Vale, initially utilising existing information on housing need derived from housing waiting lists, the 1991 Census and other relevant information from the housing associations operating within the Vale. A wider assessment of housing need in the former Borough

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

POLICY ENV 27 - DESIGN OF NEW DEVELOPMENTS

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

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

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

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

POLICY ENV 28 - ACCESS FOR DISABLED PEOPLE

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

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

6.4.30 Cycling developments are also included as part of Policy REC 12 which states that the Council will establish a number of recreation routes, some of which will incorporate cycling facilities. It is important to recognise that the Council will need to negotiate with local landowners regarding the implementation of cycle route proposals. The Council's current approved cycle parking guidelines set out the requirements for cycle parking facilities associated with different types of land use and development. Appendix 6 Table 6 illustrates examples of how the guidelines operate. These guidelines are based on the Standing Conference on Regional Policy in South Wales "Guidelines for the Provision of Facilities for Cyclists". Similar to the operation of Car Parking Guidelines the Council retains the right to employ flexibility in its use of guidelines and to approve updated guidelines when necessary. One proposed route between the Vale of Glamorgan and Cardiff includes the Cogan cycle route. The Council is actively pursuing a route to be provided adjacent to the railway line between Cogan and West Point Industrial Estate, subject to a license agreement with Railtrack and Rail Property Ltd. The Council has received assistance from Sustrans in the negotiation of this license agreement. In the long term there is potential for this route to continue to Grangetown railway station. The proposed bridge over the River Ely will provide a direct link between Penarth Haven, Cogan, Cogan Station and the site of the proposed Sports Village. Any future development of a walk way along the River Ely and around the impounded lake created by the barrage should also incorporate safe and convenient cycling facilities.

POLICY TRAN 10 - PARKING

THE PROVISION OF PARKING FACILITIES WILL BE IN ACCORDANCE WITH THE APPROVED PARKING GUIDELINES, AND WILL BE RELATED TO THE TYPE OF LAND USE, ITS DENSITY AND LOCATION; ACCESSIBILITY TO EXISTING AND POTENTIAL PUBLIC TRANSPORT FACILITIES; AND THE CAPACITY OF THE HIGHWAY NETWORK.

6.4.31 Approved parking guidelines set out the requirements for parking facilities for different types of land use and development. Examples of how current guidelines are applied are included in Appendix 6 of the Plan. The guidelines have two basic aims: to assist developers, designers and builders in the preparation of and submission of planning applications; and to achieve a common approach to the provision of vehicle parking facilities associated with new development and change of use. There is scope for flexibility in the implementation of these guidelines when local considerations are taken into account.

6.4.32 This policy embraces the flexible approach to parking requirements. It aims to provide scope for reduced parking facilities in locations well served by public transport. There may also be other circumstances when relaxed parking requirements may be appropriate, for example housing association development where there is clear evidence of low car ownership levels.

Supplementary Planning Guidance

AMENITY STANDARDS



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

VALE of GLAMORGAN



BRO MORGANNWG



*The Vale of Glamorgan UDP
Supplementary Planning Guidance*

AMENITY STANDARDS



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The Vale of Glamorgan Council. © 2006

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



AMENITY STANDARDS

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



AMENITY STANDARDS

1. BACKGROUND

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

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

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

2. STATUS OF THE GUIDANCE

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

3. NATIONAL GUIDANCE

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

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

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

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

4. SCOPE OF THE GUIDANCE

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

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

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

5. AMENITY STANDARDS AND POLICIES

General Guidance

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

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

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

Amenity Space Within Residential Developments

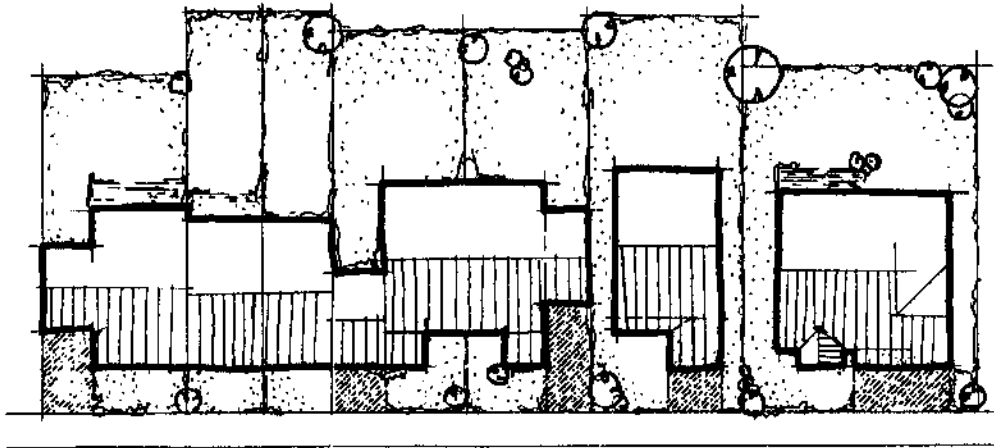
POLICY 2: THE COUNCIL WILL ENSURE THAT USABLE, ADEQUATE AND APPROPRIATE PRIVATE AMENITY SPACE IS PROVIDED AS PART OF RESIDENTIAL DEVELOPMENT.

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

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

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

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



curtilage of dwelling houses and flatted developments.

(i) Provision of Amenity Space for Dwelling houses

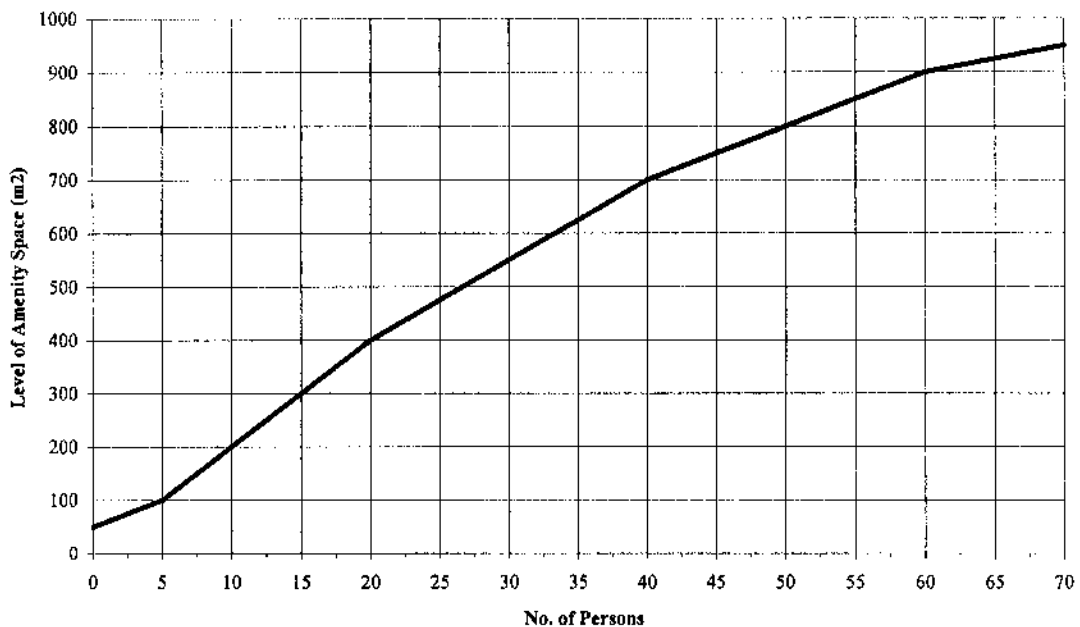
5.5 In self contained housing developers should aim to provide a minimum of 1m² of amenity space per 1 m² of the gross floor area of the dwelling (inclusive of garage space). Generally 70% of the total amenity space provided should be accommodated in the private rear garden areas of the dwelling. Gardens should be of a usable shape, long thin gardens or ones with acute angles should be avoided. An essential requirement of all private gardens is a degree of

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

(ii) Provision of Amenity Space for Flatted Developments

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

Table 1 : Amenity Space provision for Flatted Developments



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

5.7 The size of any communal garden should relate to the number of people who have access to the space and are likely to use it. In flatted developments, developers should aim to provide a minimum of 20m² amenity space per person. The amount of space required will be calculated on the basis of maximum amount of people which can be accommodated. In practice, as Table 1 illustrates, this figure may be reduced as the number of residents intended to be accommodated within the development increases.

Residential Privacy and Amenity

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

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

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

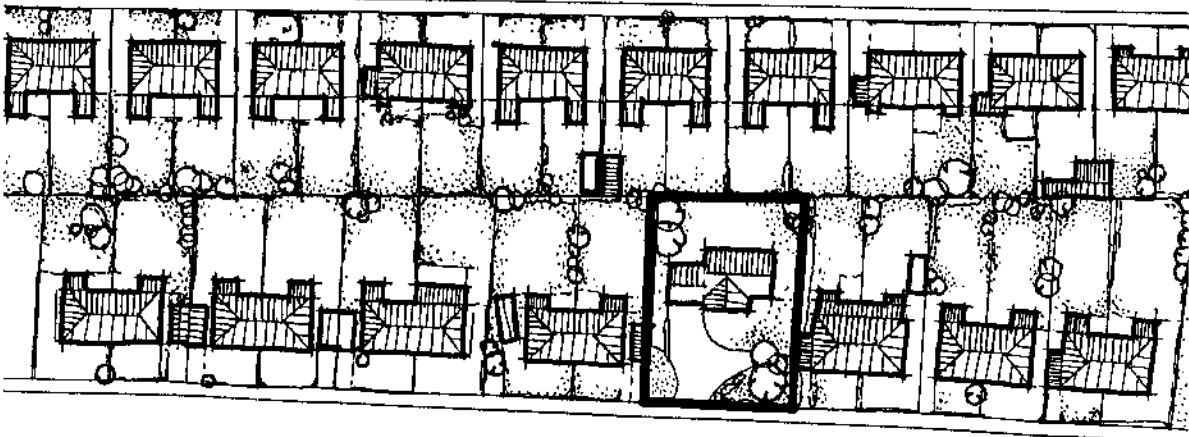
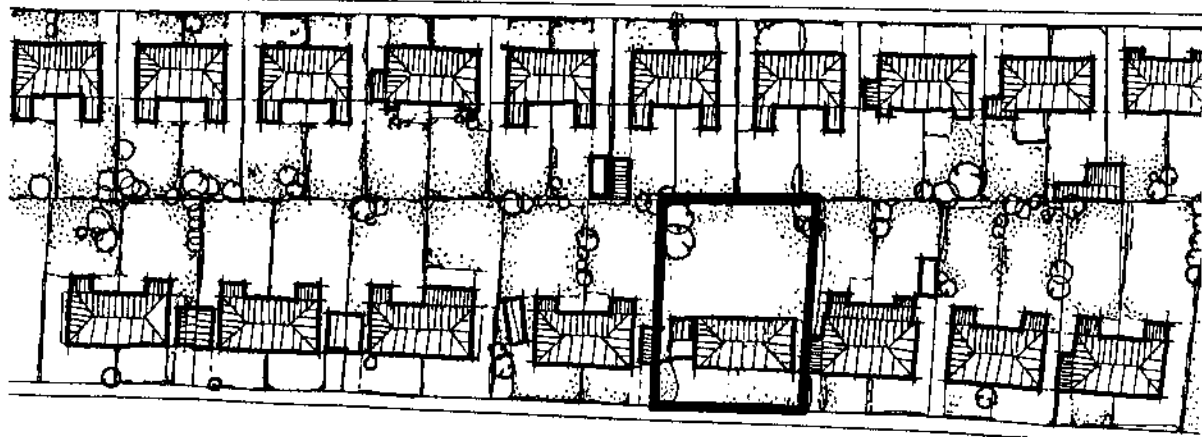


Illustration 3 : New Development which respects its urban context



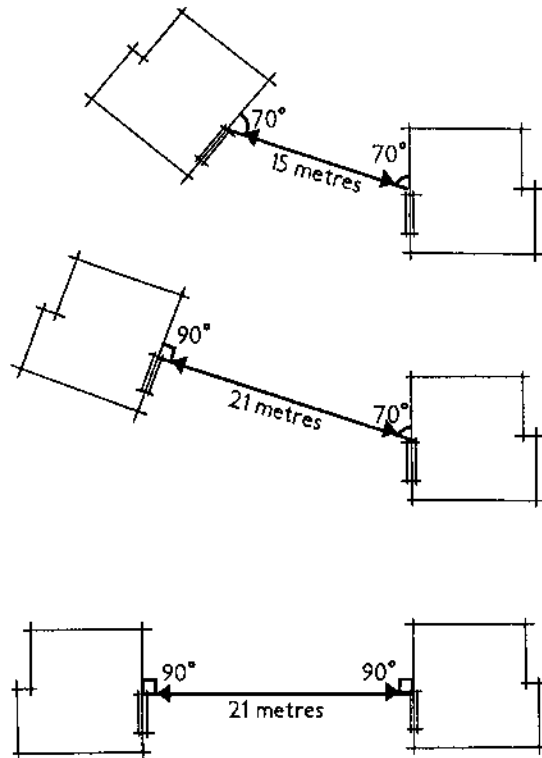
Developers should aim to avoid siting new dwellings close to existing residential boundaries.

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

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

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

Diagram 2 : Distance between Opposing Principal Windows (metres)



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

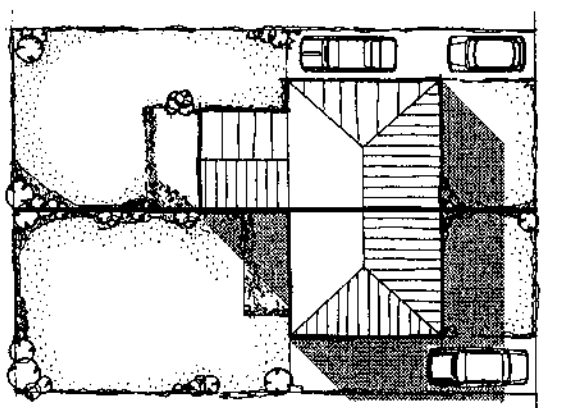
Table 2 : Distance between Opposing Principal Windows of Dwellings (metres)

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

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

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

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



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

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

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

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



An example of an attractively landscaped development

6. FURTHER INFORMATION

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

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



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

www.valeofglamorgan.gov.uk