



QUESTIONNAIRE

# **APPEAL QUESTIONNAIRE**

NO

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

### This questionnaire can alse be submitted on The Planning Portal via each individual appeal

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

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

# **Case Details**

peal by:			
peal site:			
id Ref:	E:	N:	
questions	mu	st be answered	YES
Note: if the either par	ne wr ty ur is es	incil agree to the written representations procedure?  ritten procedure is agreed, the Inspector will visit the site <u>unaccompanied</u> by pless the relevant part of the site cannot be seen from a road or other public seential for the Inspector to enter the site to check measurements or other	
Do the A	utho	ority wish to appear before and be heard by an Inspector at: a. a local inquiry? b. a hearing?	
relevant are provid	fact	Il for the Inspector to enter the site to check measurements or other? NB: An access required Site Visit (ARSV) will be arranged unless reasons o show that a full Accompanied Site Visit (ASV) is required. If YES, please	
relevant are provid explain:  Are there	fact ded to	? NB: An access required Site Visit (ARSV) will be arranged unless reasons	
Are there site Insp	e any	? NB: An access required Site Visit (ARSV) will be arranged unless reasons o show that a full Accompanied Site Visit (ASV) is required. If YES, please  y known health and safety issues that would affect the conduct of the on? If YES, please describe:  de the name, telephone number and e-mail address of the officer we	
Are there site Insp	e any	? NB: An access required Site Visit (ARSV) will be arranged unless reasons o show that a full Accompanied Site Visit (ASV) is required. If YES, please  y known health and safety issues that would affect the conduct of the on? If YES, please describe:	

- Does the appeal relate to an application for approval of reserved matters? 4
- Was a DMPO 2012 Article 11 (Regulation 7 for listed building or conservation are consent) certificate submitted with the application?
- Did you give publicity to the application in accordance with Article 12 of the DMPO 6 (Wales) 2012, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 10 of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012? If YES, please send a copy of the notice published and any representations received as a result of that notice.

7	Is	the	appeal	site	within:
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	a. a green belt?  If YES, please specify which:	
	b. an Area of Outstanding	Natural Beauty?
	If YES, please specify which:	
3		r underground mineral interest at or within 400 metres likely to be a material consideration in determining the details.
_	A 4 h	and the second section of the section of

, u	<b>still before the Welsh Government?</b> If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.

considere	,	ernment? If YES, ple	or close to the site still be ase attach details and, when

- 10 Would the development require the stopping up or diverting of a public right of way? Please attach an extract from the Definitive Map and Statement for the area and any other details.
- Is the site in a Conservation Area? If YES, please attach a plan of the Conservation
- Does the appeal relate to an application for conservation area consent?
- Does the proposed development involve the demolition, alteration or extension of a Grade I/II\*/II listed building?

Date of Listing		Grade I	<b>Grade II*</b>	Grade II
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- Would the proposed development affect the setting of a listed building? 12b
- Has a grant been made under Sections 3A or 4 of the Historic Buildings and 13 **Ancient Monuments Act 1953?**
- Would the proposals affect an Ancient Monument (whether scheduled or not?)
- **Was Cadw consulted?** Please send a copy of any comments. 14b
- Is any part of the site subject to a Tree Preservation Order? 15 If YES, please send a plan showing the extent of the Order and any relevant details.
- 16a If flooding an issue?
- Has a Flood Risk Assessment been submitted? If YES, please attach a copy. 16b
- 17 Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?
- Is the appeal site in or adjacent to, or likely to affect, an SSSI? If YES, please attach the comments of the Countryside Council for Wales.
- 18b Are any protected species likely to be affected by the proposals? If YES, please attach details.

Schedule 1 YES NO

- 19a. (i) Is the proposed development Schedule 1 development as described in Schedule 1 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
  - (ii) If YES, under which description of development? (ie no's 1-21)

### Schedule 2

- (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
  - (ii) If, YES, under which description of development in Column 1? (ie no's 1-13)

19c	Is the development within or partly with a 'sensitive area' as defined by Regulation 2 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, please provide details below:				

### Screening

- 19d **(i) Have you issued a Screening Opinion (SO) under regulation 25(2)?** *If YES, please attach a copy of the SO that was placed on the planning register, and any other related* 
  - (ii) If YES, did the SO state that the proposed development is EIA development as defined by the EIA regulations? If you decided that the proposed development is not EIA development as defined by the EIA regulations, please give brief reasons for your opinion:

# Environmental Screening (ES)

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

### **Publicity**

- 19f If applicable, please supply a copy of the site notice and local advertisement published under Article 12 of the DMPO (Wales) 2012.
- 20 Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? Please attach copies of any comments that you have received in response.
- 21 If your Authority's CIL (The Community Infrastructure Levy Regulations 2010 No. 948) charging schedule is being/has been examined, the date the CIL is likely to adopted OR if the CIL has been adopted, the date of the adoption.

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

- 22a A copy of the letter with which you notified people about the appeal;
- 22b A list of the people you notified and the deadline you gave for their comments to be sent to us:
- 22c All representations received from interested persons about the original application;
- 22d Any comments or directions received from the Welsh Government, other Government Departments or statutory agencies/undertakers whether or not as a



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	and any other relevant documents/minutes;
22f	Any representations received as a result of DMPO 2012 (Wales) Article 11 (or Regulation 7) notice;
22g	Extracts from any relevant statutory Development Plan policies (even if you intend to rely more heavily on the emerging plan). You must include the from page, the title and date of the approval/adoption, and give the status of the Plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination;
	List of policies
22h	Extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so when;
	List of guidance
22i	Extracts from any supplementary planning document, together with the date of its adoption. In case of emerging documents, please state what stage they have reached;
	List of documents
22j	A list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement;
22k	Any other relevant information or correspondence you consider we should know;
221	2 plans of the site - (1:10,000 & 1:1250) reproduced from O.S. digital map;
	FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY
23 - <b>I</b>	Do you intend to send a 6 week statement about this appeal?
Auth	ority's reference:
I cert	ify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent
Com	pleted by
On b	pehalf of
Date	e sent

22e The planning officer's report to committee or delegated report on the application

Please tell us of any changes to the information you have give on this questionnaire







# THE VALE OF GLAMORGAN COUNCIL CYNGOR BRO MORGANNWG



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

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

# NOTICE UNDER ARTICLE 8 HYSBYSIAD O DAN ERTHYGL 8

### PLANNING REFERENCE / CYFEIRNOD CYNLLUNIO: 2014/01306/FUL

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

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

By/Gan: Mrs. Susan Joseph,

Proposal/Cynnig: Proposed first floor extension to form master bedroom and bathroom

Location/Lleoliad: Court House, Tair Cross, Ewenny

Members of the public may inspect copies of:

the application

the plans

• and other documents submitted with it

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

The proposals can also be viewed on the Council's Online Applications Register at <a href="http://vog.planning-register.co.uk">http://vog.planning-register.co.uk</a> by searching for application number 2014/01306/FUL.

Anyone who wishes to make representations about this application should write to the Head of Planning and Transportation at *The Vale of Glamorgan Council, Dock Office, Barry Docks, Barry. CF63 4RT,* within 21 days of the date of this notice, quoting reference 2014/01306/FUL.

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

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

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

Cewch hefyd weld y cynigion ar Gofrestr Ceisiadau Arlein y Cyngor drwy fynd i <a href="http://vog.planning-register.co.uk">http://vog.planning-register.co.uk</a> a chwilio am rif y cais 2014/01306/FUL.

Dylai unrhyw un sydd am wneud sylwadau ar y cais ysgrifennu at Bennaeth Adran Cynllunio a Chludiant y cyngor, *Cyngor Bro Morgannwg*, *Swyddfa'r Doc, Dociau'r Barri, y Barri, CF63 4RT*, **cyn pen 21 o ddiwrnodau ar ôl dyddiad yr hysbysiad hwn**, gan ddyfynnu'r cyfeirnod **«2014/01306/FUL** 

Dated/Dyddiad: 9 December 2014

Operational Manager Development & Building Control
Rheolwr Gweithredol Datblygiad a Rheoli Adeiladu





Date/Dyddiad: 21 July 2015

Ask for/Gofynwch am: Mrs. Lisa Chichester

Telephone/Rhif ffon: (01446) 704691

Your Ref/Eich Cyf: APP/Z6950/A/15/3010677

My Ref/Cyf: P/DC/LMC/2014/01306/FUL

The Vale of Glamorgan Council

Dock Office, Barry Docks.Barry CF63 4RT Tel: (01446) 700111

Cyngor Bro Morgannwg

Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT

Ffôn: (01446) 700111

www.valeofglamorgan.gov.uk

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



# **SEE DISTRIBUTION LIST**

Dear Sir/Madam,

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

APPLICATION NOS.: 2014/01306/FUL

SITE: COURT HOUSE, TAIR CROSS, EWENNY

PROPOSAL: PROPOSED FIRST FLOOR EXTENSION TO FORM MASTER BEDROOM

AND BATHROOM

APPEAL BY: MRS. SUSAN JOSEPH,

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 forms which can be found on the Council's web site at:

http://www.valeofglamorgan.gov.uk/en/living/planning and building control/appeals/planning appeals.aspx and send these direct to The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, quoting the reference APP/Z6950/A/15/3010677. You can also make your representations on-line at www.planningportal.gov.uk. Such comments must be submitted no later than 20 August 2015. Any representations received after the deadline will not normally be seen by the Inspector and will be returned to you. Please note all representations will be published on the Planning Portal website.

A copy of the appeal decision can be viewed on-line at <a href="https://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp">www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp</a> or obtained by making a request in writing to The Planning Inspectorate at the address given above. If you wish to inspect any document in connection with this appeal, these are available to view on-line at the Planning Portal website. Alternatively, please contact my Appeals Officer Mr. Darryl Rowlands on 01446 704694, or Mrs. Lisa Chichester, on 01446 704691.

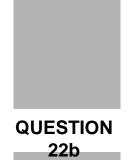
Yours faithfully,

M. Goldsworthly

Operational Manager Development & Building Control

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





# **Appeals Notifications Distribution List**

Appeal Reference: 15/3010677

Name:

Address:

Date Sent: 21/07/15

P. Mordecai,

Beech Court Farm,

Wick Road, Ewenny,

Vale of Glamorgan.

CF35 5AH

Mr. & Mrs. Baker

The Hill, Tair Cross,

Ewenny,

Vale of Glamorgan.

CF35 5AG

The Owner/Occupier

Wallas Fach Cottage,

Wick Road, Ewenny,

Vale of Glamorgan.

CF35 5AE

**Ewenny Community** 

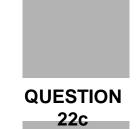
Council

By email

Councillor R. Thomas

By email





BEECH COURT FARM WICK ROAD EWENNY BRIDGEND CF35 5AH

26/11/14

Dear Sir.

Regarding the planning application No. 2014/01306/FUL/IR for a first floor extension to form a master bedroom and bathroom to Court House, Tair Cross, Ewenny, Bridgend.

I am writing to confirm that I have no objection to the plan and would be very pleased to hear that Susan Joseph would be able to live with her family in comfort. I notice that the extension will be relatively small and will not effect the appearance or footprint of the house - also there will be no detrimental effect to the highways.

Susan is a good neighbour – always very kind and ready to help.

I do hope you will look favourably at her planning request and see your way clear to help her.

Yours Faithfully.

1R P482.

RECEIVED

27 NOV 2014

ENVIRONMENTAL AND ECONOMIC REGENERATION

The Hill Tair books Essenny CF35 5 A CL 28th Novaber, 2011

Dear Sin

Planning Application Court Hour, Tair Coats No. 2014/01306/FUL

this application shall-heatedly and accordingly have no objection.

Your faithfully

H.L. BAKER (Mrs) A.P. BAKER (Mr.)

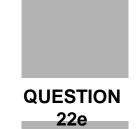
> IR P19

RECEIVED

-1 DEC 2016

FINE ROMMENTAL AND ECONOMIC REGENERATION





# **2014/01306/FUL** Received on 13 November 2014

Mrs. Susan Joseph, Court House, Tair Cross, Ewenny, Vale of Glamorgan, CF35 5AH

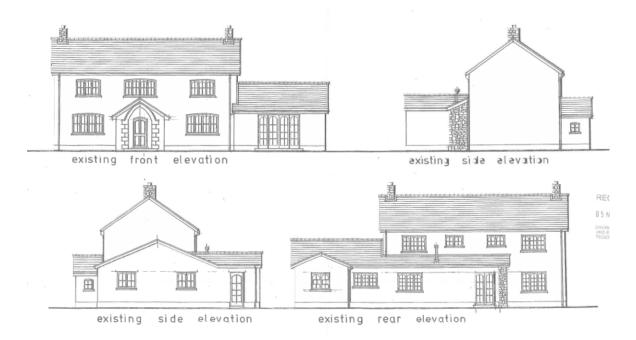
Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan, CF5 6TR

### **Court House, Tair Cross, Ewenny**

Proposed first floor extension to form master bedroom and bathroom

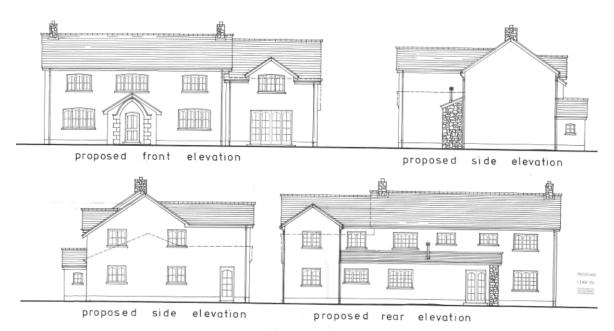
### SITE AND CONTEXT

The application site relates to an existing dwelling house known as Court House, Tair Cross, Eweny. The dwelling is sited to the south-east of the village of Ewenny, and is classified as falling in the countryside. The dwelling is also agriculturally tied. The dwelling is detached and is of a relatively traditional design and form, as indicated on the elevations below:



### DESCRIPTION OF DEVELOPMENT

The application is for an extension to the side and rear of the existing house, as shown on the plans below. It would measure approximately 6m wide x 11m deep and would project approximately 4m past he main rear elevation of the house. The extension would comprise a bedroom with en-suite and walk in wardrobe:



### PLANNING HISTORY

2008/00372/FUL: Court House, Taircross Farm, Ewenny - Two storey extension, new bedroom and double garage - Refused

2005/01158/FUL: Court House, Tair Cross, Ewenny - Granny annex extension - Refused

2002/01711/FUL: Taircross Farm, Ewenny - Construction of access track through agricultural land - Refused

2000/01300/FUL: Taircross Farm, Ewenny - Construction of agricultural outbuilding - Approved

2000/00547/FUL: Taircross Farm, Ewenny - Single storey farm outbuildings comprising stables, calving shed and hay storage - Refused

1999/00771/FUL: Taircross Farm, Ewenny - Conversion of attached garage into a kitchen/utility room extension - porch extension - Approved

1983/00123 OGWR 1980/00855 OGWR 1974/00630 OGWR

### **CONSULTATIONS**

Ewenny Community Council - No representations received to date.

Local ward members - No responses received

### REPRESENTATIONS

The neighbouring properties were consulted and a site notice posted. Two letters have been received, both of which state no objection and offer support to the application.

### <u>REPORT</u>

### Planning Policies and Guidance

# **Unitary Development Plan:**

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18<sup>th</sup> April 2005, and within which the following policies are of relevance:

### Strategic Policies:

POLICIES 1 & 2 - THE ENVIRONMENT

# Policy:

POLICY ENV 27 - DESIGN OF NEW DEVELOPMENTS
POLICY HOUS 5 - AGRICULTURAL OR FORESTRY DWELLINGS
POLICY HOUS 7 - REPLACEMENT AND EXTENSION OF DWELLINGS IN THE COUNTRYSIDE

Whilst the UDP is the statutory development plan for the purposes of section 38 of the 2004 Act, some elements of the adopted Vale of Glamorgan Unitary Development Plan 1996-2011 are time expired, however its general policies remain extant and it remains the statutory adopted development plan. As such, chapter 2 of Planning Policy Wales (Edition 7, 2014) provides the following advice on the weight that should be given to policies contained with the adopted development plan:

- 2.7.1 Where development plan **policies** are outdated or superseded local planning authorities should give them decreasing weight in favour of other material considerations, such as national planning policy, in the determination of individual applications. This will ensure that decisions are based on policies which have been written with the objective of contributing to the achievement of sustainable development (see 1.1.4 and section 4.2).
- 2.7.2 It is for the decision-maker, in the first instance, to determine through review of the development plan (see 2.1.6) whether policies in an adopted development plan are out of date or have been superseded by other material considerations for the purposes of making a decision on an individual planning application. This should be done in light of the presumption in favour of sustainable development (see section 4.2).'

With the above advice in mind, the policies relevant to the consideration of the application subject of this report are not considered to be outdated or superseded. The following policy, guidance and documentation support the relevant UDP policies.

# **Planning Policy Wales:**

National planning guidance in the form of Planning Policy Wales (Edition 7, July 2014) (PPW) is of relevance to the determination of this application.

Chapter 4 of PPW deals with planning for sustainability – Chapter 4 is important as most other chapters of PPW refer back to it, part 4.2 in particular

- 4.4.3 Planning policies, decisions and proposals should:
- Contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems. In particular, planning should seek to ensure that development does not produce irreversible harmful effects on the natural environment and support measures that allow the natural heritage to adapt to the effects of climate change. The conservation and enhancement of statutorily designated areas and of the countryside and undeveloped coast; the conservation of biodiversity, habitats, and landscapes; the conservation of the best and most versatile agricultural land; and enhancement of the urban environment all need to be promoted.
- 9.2.22 In planning for housing in rural areas it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.

### **Technical Advice Notes:**

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

- Technical Advice Note 6- Planning for Sustainable Rural Communities.
- 4.7.1 Planning applications for new permanent and temporary rural enterprise dwellings in the open countryside need to be supported by robust evidence. A Rural enterprise dwelling appraisal must accompany planning applications for this type of development and include information sufficient to enable the planning authority to make a full and effective assessment.

The appraisal should address the following tests:

- The functional test to provide evidence of whether there is a need for a resident worker for the proper functioning of the enterprise. (See paragraph 4.8.1).
- The time test to provide evidence of the labour requirement for the worker who is working on the justifying enterprise. (See paragraphs 4.9.1).
- The financial test to provide evidence of the economic sustainability of the justifying enterprise and identify the size of dwelling that the enterprise can sustain, ensuring that the size of the dwelling is commensurate with its functional need and financial justification (my emphasis).
- 4.10.2 Evidence of actual or potential economic performance will be required. To assess economic sustainability it will be necessary to show the business has a reasonable prospect of providing a market return for all operators for the amount of management and manual labour inputs, including the job for which the rural enterprise dwelling is being sought, for at least five years from the anticipated completion of the proposed development. This should be assessed on the basis of what is a realistic income for the skills of the operator. A financial test is also necessary to assess the size of dwelling which the enterprise can afford to build and maintain. Dwellings which are unusually large in relation to the needs of the enterprise, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise rather than of the owner or occupier which are relevant to determining the size of dwelling that is appropriate (my emphasis).
- 4.10.3 There may be some cases in which the planning circumstances of the site are such that, if a new permanent dwelling is approved, it will be appropriate for the planning authority to consider making permission subject to a condition removing some of the permitted development rights for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use given the income which the enterprise can sustain (my emphasis).
- Technical Advice Note 12 Design
- 2.2 The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales from householder extensions to new mixed use communities.
- 5.8.1 The special qualities of the rural landscape and coastline of Wales should be recognised. The qualities should be enhanced through conservation of the character of the countryside and by achieving quality in new development.

# **Supplementary Planning Guidance:**

In addition to the adopted Unitary Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

Amenity Standards

### The Local Development Plan:

The Vale of Glamorgan Deposit Local Development Plan (LDP) was published November 2013. The Council is currently at Deposit Plan Stage having undertaken the public consultation from 8th November – 20th December 2013 on the Deposit Local Development Plan and the 'Alternative Sites' public consultation on the Site Allocation Representations from 20th March – 1st May 2014. The Council is in the process of considering all representations received and is timetabled to submit the Local Development Plan to the Welsh Government for Examination in April / May 2015.

With regard to the weight that should be given to the deposit plan and its policies, the guidance provided in Paragraph 2.6.2 of Planning Policy Wales (edition 7 July, 2014) is noted. It states as follows:

'2.6.2 In development management decisions the weight to be attached to an emerging draft LDP will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption. When conducting the examination, the appointed Inspector is required to consider the soundness of the whole plan in the context of national policy and all other matters which are material to it. Consequently, policies could ultimately be amended or deleted from the plan even though they may not have been the subject of a representation at deposit stage (or be retained despite generating substantial objection). Certainty regarding the content of the plan will only be achieved when the Inspector publishes the binding report. Thus in considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to consider carefully the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances (see section 4.2).'

### Issues

The dwelling is located a relatively significant distance from the nearest neighbouring property and consequently, it is considered that there would not be a significant adverse impact on the residential amenities of others. In addition, there would be sufficient parking provision and amenity space to serve the extended house (and the access remains unaltered).

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

- Whether the extension is of a scale and form that would adversely affect its character and the character of the wider area- i.e. does it comply with Policy HOUS 7.
- Whether the extension is of an acceptable scale in terms of the agricultural tie.

Whether the extension is of a scale and form that would adversely affect its character and the character of the wider area- i.e. does it comply with Policy HOUS 7.

As context, it should be noted that applications 2008/00372/FUL and 2005/01158/FUL were both refused for reasons relating to the scale and form of the proposed extensions and the failure to comply with Policy HOUS 7 of the UDP, as follows:

### 2005/01158/FUL:

The proposed granny annex extension in addition to the previous extensions would by virtue of its height, width, scale and massing, result in an extended dwelling which would be disproportionate in size to the original dwelling thus adversely affecting the rural character of the dwelling and the wider rural character of the area contrary to Policy HOUS7 (Replacement and Extension of Dwellings in the Countryside) of the adopted Vale of Glamorgan Unitary Development Plan 2005.

### 2008/00372/FUL:

The proposed extension in addition to the previous extensions would by virtue of its width, scale and massing, result in an extended dwelling which would be disproportionate in size to the original dwelling thus adversely affecting the rural character of the dwelling and the wider rural character of the area contrary to Policy HOUS7 (Replacement and Extension of Dwellings in the Countryside) of the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011.

Policy HOUS 7 states, amongst other criteria, that extensions to dwellings in the countryside will be permitted if the extended dwelling is not disproportionate in size to the original dwelling and provided the scale, siting and external appearance of the extension is compatible with existing related structures and the surrounding landscape.

The original dwelling was extended following the 1999 permission, and this comprised an increase to the roof pitch of the dwelling, construction of a porch to the front, a utility room to the rear and the conversion of the existing garage to a kitchen. This previous approval, while adding little to the overall footprint, altered the character of the building to a degree, resulting in a visibly more imposing dwelling, due to the increase in height. Nevertheless, it was not of a significantly greater scale and massing to the original, such that it was considered to comply with the aims of Policy HOUS 7.

This application seeks to significantly further increase the scale of the dwelling, by extending above the converted garage, resulting in a two-storey side and rear projecting 'wing' that measures approximately 6m wide x 11m deep. The roof of the extension would be set down from the main ridge nominally, however, it would project forwards of the main front elevation. Taken together with the substantial length, which projects over 4m past the main rear elevation of the house, the resultant wing would fail to appear as an appropriate subservient addition, rather it would harmfully dominate this aspect of the house (as viewed from the road), relating poorly to the massing and proportions of the existing (and original) house, and resulting in a dwelling that is of a significantly and harmfully different scale and character to the both the original and existing.

While the rear elevation is not highly visible due to the change in levels immediately to the north/west of the site, the house is clearly visible from the highway to the east and the extension would be prominent from this highway. Consequently, it is considered that the physical prominence of the dwelling would be markedly increased within the wider landscape, adversely affecting the rural character of the area, as well as that of the dwelling itself.

Therefore in summary, it is considered that the resultant dwelling would be of a scale and form that is disproportionate to the original and subsequently would be harmful to the rural character of the dwelling in this context, and the character of the wider environment, contrary to Policy HOUS 7 of the UDP. It would also be contrary to the advice within PPW on sustainable development and the advice within Tan 12 on Design.

With reference to the previous applications, while application 2008/00372 sought to provide a new two-storey extension to the other side of the house, it is considered that this proposal, which includes a substantial depth of projection beyond the main rear elevation, would be no less harmful than that in terms of proportionality and in terms of the degree to which the character and overall massing of the dwelling would be altered. However, it is accepted that the extension is smaller than that refused under application 2005/01158/FUL.

Whether the extension is of an acceptable scale in terms of the agricultural tie.

In addition to the objections above purely in respect of Policy HOUS 7 and the proportionality of the extensions to the original house, it is relevant to consider that the house is agriculturally tied.

Policy HOUS 5 of the UDP relates to agricultural and forestry dwellings and while the text specifically refers to 'new dwellings', it is considered that the aims of this policy are nevertheless relevant to proposals for extensions to such dwellings. Of most relevance to this application, criterion (ii) states that (new dwellings will be permitted if) the scale, siting, design, landscaping and external appearance of the proposed new dwelling are compatible with any existing related structures and the surrounding landscape.

The advice is Technical Advice Note 6 is also relevant to this issues, specifically at paragraphs 4.7.1, 4.10.2 and 4.10.3, which read as follows:

4.7.1 Planning applications for new permanent and temporary rural enterprise dwellings in the open countryside need to be supported by robust evidence. A Rural enterprise dwelling appraisal must accompany planning applications for this type of development and include information sufficient to enable the planning authority to make a full and effective assessment.

The appraisal should address the following tests:

- The functional test to provide evidence of whether there is a need for a resident worker for the proper functioning of the enterprise. (See paragraph 4.8.1).
- The time test to provide evidence of the labour requirement for the worker who is working on the justifying enterprise. (See paragraphs 4.9.1).
- The financial test to provide evidence of the economic sustainability of the justifying enterprise and identify the size of dwelling that the enterprise can sustain, ensuring that the size of the dwelling is commensurate with its functional need and financial justification (my emphasis).
- 4.10.2 Evidence of actual or potential economic performance will be required. To assess economic sustainability it will be necessary to show the business has a reasonable prospect of providing a market return for all operators for the amount of management and manual labour inputs, including the job for which the rural enterprise dwelling is being sought, for at least five years from the anticipated completion of the proposed development. This should be assessed on the basis of what is a realistic income for the skills of the operator. A financial test is also necessary to assess the size of dwelling which the enterprise can afford to build and maintain. Dwellings which are unusually large in relation to the needs of the enterprise, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise rather than of the owner or occupier which are relevant to determining the size of dwelling that is appropriate (my emphasis).
- 4.10.3 There may be some cases in which the planning circumstances of the site are such that, if a new permanent dwelling is approved, it will be appropriate for the planning authority to consider making permission subject to a condition removing some of the permitted development rights for development within the curtilage of a dwelling house. For example, proposed extensions could result in a dwelling whose size exceeded what could be justified by the functional requirement, and affect the continued viability of maintaining the property for its intended use given the income which the enterprise can sustain (my emphasis).

Principally, the application is not accompanied by any form of justification for the extension, in terms of the needs of an agricultural holding. The original dwelling would have been approved with regard to the need of the holding, however, this proposal would create a much larger dwelling which (on the basis of no evidence being supplied to demonstrate a justification) would be well beyond what is necessary to meet the original need. Consequently, it is likely that the market value of the house, even with such a tie, would exceed the affordability of an agricultural worker (or other occupiers) who would be able to comply with the condition. The proposed development would, therefore, result in the dwelling becoming less affordable to such workers and not being able to serve the purpose that it was initially allowed for.

It is therefore considered that the proposed development is contrary to the above advice contained within TAN 6 since it would affect the continued viability of maintaining the house for its intended use (para4.10.3) and would not be commensurate with the functional need for it (para 4.7.1 and 4.10.2). the proposal would also be contrary to Policy HOUS 5 of the UDP since the scale is considered unacceptable and a functional need for a dwelling or this size has not been demonstrated.

### <u>CONCLUSION</u>

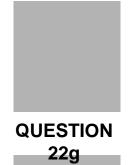
The decision to refuse planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate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

### RECOMMENDATION

### REFUSE (W.R.)

- 1. By reason of the overall scale, massing, visual prominence and design of the proposal, in addition to the previous extensions to the property, it is considered that the proposed development would disproportionately and adversely alter the scale, form and character of the original dwelling and detracting from the character of the wider rural area. It would therefore represent an unsustainable form of development which would conflict with the aims of Policies HOUS7 (Replacement and Extension of Dwellings in the Countryside) and ENV27 (Design of New Development) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the advice within Planning Policy Wales and Technical Advice Note 12- Design.
- 2. The proposed extension to this agriculturally tied dwelling would result in a property that is larger than required to meet the original functional need and would adversely affect the continued viability of maintaining the property for its intended use. The proposal is therefore contrary to Policy HOUS 5 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the advice contained within Planning Policy Wales and Technical Advice Note 6- Planning for Sustainable Rural Communities.





# The Vale of Glamorgan



# Adopted Unitary Development Plan

1996 - 2011

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contamination/instability and indicate appropriate remedial measures. Planning permission may not be granted unless the Council is satisfied that instability and contamination may be over come 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



inappropriate in these locations unless justified in the interests of agriculture or forestry.

4.4.67 Wherever possible, dwellings for agricultural and forestry workers should be located within settlements in the locality. However, the Council recognises that in certain circumstances, agricultural dwellings need to be located away from the existing settlements. Proposals for such dwellings will be determined according to the criteria set out in Policy HOUS 5.

# **POLICY HOUS 4 - NEW SETTLEMENTS**

### PROPOSALS FOR NEW SETTLEMENTS WILL NOT BE PERMITTED.

4.4.68 New settlements are defined as substantial (more than 1000 new dwelling units) freestanding villages or small towns. Through the UDP the Council has allocated (together with existing commitments) sufficient land for residential purposes to meet the estimated demand for new dwellings. The demand will be met by the logical expansion of existing settlements e.g. Cogan Hall Farm, Penarth and Pencoedtre, Barry (Policies HOUS 1 (8) and (3)) and by the regeneration of brownfield sites e.g. Barry Waterfront, Penarth Haven and Rhoose Point (Policies HOUS 1 (1), (7) and (13)). Consequently, there is not considered to be a requirement for new settlements within the Vale during the Plan Period.

### POLICY HOUS 5 - AGRICULTURAL OR FORESTRY DWELLINGS

THE DEVELOPMENT OF NEW DWELLINGS BEYOND THE IDENTIFIED SETTLEMENT BOUNDARIES DESIGNATED BY POLICIES HOUS 2 IN ASSOCIATION WITH AGRICULTURE OR FORESTRY WILL BE PERMITTED IF:

- (i) AN ESSENTIAL NEED, BASED ON A FUNCTIONAL AND WHERE APPROPRIATE FINANCIAL NECESSITY IS CLEARLY DEMONSTRATED;
- (ii) THE SCALE, SITING, DESIGN, LANDSCAPING AND EXTERNAL APPEARANCE OF THE PROPOSED NEW DWELLING IS COMPATIBLE WITH ANY EXISTING RELATED STRUCTURES AND THE SURROUNDING LANDSCAPE; AND
- (iii) AN ACCEPTABLE ACCESS TO THE DWELLING CAN BE PROVIDED.

IF THESE CRITERIA ARE MET A CONDITION WILL BE IMPOSED ON ALL NEW AGRICULTURE/ FORESTRY DWELLINGS LIMITING THE OCCUPATION OF THE DWELLING TO A PERSON SOLELY, OR MAINLY, WORKING, OR LAST WORKING IN THE LOCALITY, IN AGRICULTURE AS DEFINED IN SECTION 336 OF THE TOWN AND COUNTRY PLANNING ACT 1990, OR IN FORESTRY OR A WIDOW OR WIDOWER OF SUCH A PERSON, AND TO ANY RESIDENT DEPENDANTS.



- 4.4.69 Applications for new agricultural or forestry dwellings will need to demonstrate that the intention of the applicants to engage in agriculture or forestry is genuine, and will materialise and be capable of being sustained. It should also be shown that no other practical alternative dwellings are available in the locality and the needs of the enterprise in terms of labour and the efficient running of the business render the dwelling essential. Applicants will need to show that the proposed dwelling is likely to be undertaken and be sustainable in the long term. The Council will seek professional advice to assess the viability of existing and proposed agricultural and forestry business activities where required. The history of the landholding will also be taken into consideration.
- **4.4.70** Planning Policy Wales 2002 states that when determining planning applications for agricultural and forestry dwellings, the following matters should be considered;
  - · a functional test to establish whether, for the proper functioning of the enterprise (in terms of both its current and likely future requirements), one or more workers needs to be readily available at most times; and
  - · a financial test to establish that the farming enterprise is economically viable, since if it is not, new permanent accommodation cannot be justified on agricultural grounds, and to provide evidence of the size of dwelling which the unit can sustain.
- 4.4.71 Where permission is to be granted for a new agricultural or forestry dwelling, occupancy conditions will be imposed on the dwelling itself and may also be imposed on existing dwellings and/or on the business unit which are under the control of the applicant and need, at the time of application, to be used in conjunction with the unit. Planning obligations may also be used, where appropriate, to tie a farmhouse to adjacent farm buildings to prevent them being sold separately without further application to the Council. The size of the proposed dwelling must not be unduly large relative to the needs of the unit or the ability of the enterprise to provide an income to sustain it.

### **POLICY HOUS 6 - AGRICULTURAL OCCUPANCY CONDITIONS**

APPLICATIONS FOR THE REMOVAL OF AGRICULTURAL OCCUPANCY CONDITIONS WILL BE CONSIDERED ON THE BASIS OF REALISTIC ASSESSMENTS OF THE CONTINUING NEED FOR THEIR RETENTION.

4.4.72 The need for an agricultural dwelling relates to an area as a whole and it is not restricted to a particular holding. Proposals to remove agricultural occupancy conditions should normally include evidence that the dwelling has been offered for sale over a sustained period at a price to reflect the occupancy condition. Unless a property is advertised for sale at a realistic price it will be difficult to judge whether such a need exists and therefore whether the condition should be discharged.



# POLICY HOUS 7 - REPLACEMENT AND EXTENSION OF DWELLINGS IN THE COUNTRYSIDE

THE REPLACEMENT OR EXTENSION OF DWELLINGS IN THE COUNTRYSIDE WILL BE STRICTLY CONTROLLED. PROPOSALS WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE EXTENDED DWELLING IS NOT DISPROPORTIONATE IN SIZE TO THE ORIGINAL DWELLING;
- (ii) ADEQUATE UTILITY AND INFRUSTRUCTURE SERVICES EXIST, ARE READILY AVAILABLE OR CAN BE ECONOMICALLY PROVIDED;
- (iii) THE REPLACEMENT DWELLING OR DWELLING AS EXTENDED DOES NOT REQUIRE AN UNACCEPTABLE EXTENSION OF THE EXISTING RESIDENTIAL CURTILAGE;
- (iv) IN RESPECT OF REPLACEMENT DWELLINGS, PARKING AND AMENITY SPACE IS PROVIDED IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES:
- (v) THE SCALE, SITING, DESIGN, MATERIALS, LANDSCAPING AND EXTERNAL APPEARANCE OF THE REPLACEMENT DWELLING OR EXTENSION IS COMPATIBLE WITH ANY EXISTING RELATED STRUCTURES AND THE SURROUNDING LANDSCAPE; AND
- (vi) IN THE CASE OF REPLACEMENT DWELLINGS FOR DERELICT BUILDINGS, THE RESIDENTIAL USE OF THE BUILDING HAS NOT BEEN ABANDONED.
- 4.4.73 Whilst it is intended to limit new development and to restrict isolated new dwellings in the countryside, the Council accepts that it would be unreasonable to reject all proposals relating to existing properties. Owners (or prospective purchasers) of dwellings located outside established settlements may wish to replace, or extend their properties particularly where the buildings are substandard or inadequate for the living requirements of the occupier. The Council wishes to ensure that such proposals are appropriate and that they reflect the character of their rural location both in terms of appearance and scale.
- 4.4.74 Where the total demolition and replacement of an existing property is proposed, applicants will be required to produce a detailed structural survey of the existing building and evidence will need to be shown of the need to replace/rebuild. If the existing dwelling is derelict, planning permission for a replacement dwelling on the site will not normally be granted except in cases where the dereliction is the result of recent accidental damage (e.g. a fire) to an inhabited property, or where it can be demonstrated that the residential use of the building has not been abandoned.



- 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.





