



Statement of Case

1 Dyffryn Place, Barry

**Planning Appeal against refusal of discharge of condition
ref: 2020/00002/FUL/1/CD (materials) relating to
approved 3-bay garage in rear garden**

May 2020





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1.0 Introduction

1.1 The Proposal

1.1.1 WYG has prepared this Statement of Case on behalf of the appellant, Mr Huw Davies, in connection with the decision of the Vale of Glamorgan Council to refuse to discharge the pre-commencement materials condition relating to the approved full planning permission ref: 2020/00002/FUL for the erection of a new 3-bay garage to the rear of 1 Dyffryn Place in Barry.

1.2 Statement Contents

1.2.1 This Statement of Case is structured as follows:

Section 2 - describes the background of the appeal decision (including detail regarding the site & surroundings, the relevant information relating to the approved garage planning application 2020/00002/FUL and details relating to the discharge of condition application submission / consideration);

Section 3 - sets out the local and national planning policy context;

Section 4 - provides an analysis of the appeal grounds; and

Section 5 - provides summary and conclusions.



2.0 Appeal Background

2.1 Appeal Site & Surrounds

- 2.1.1 The appeal site comprises a two-storey semi-detached dwelling house with front and rear garden, off-street parking and a detached single storey garage.
- 2.1.2 The site lies within the Dyfan residential area in the town of Barry. To the north east, the site is bound by 107 Colcot Road and to the south west by 2 Dyffryn Place, both forming semi-detached dwellings of a comparable scale and layout, albeit varying garden size. To the south east is the cul-de-sac Dyffryn Place and to the north west lies Colcot sports centre and associated car park.
- 2.1.3 The rear garden is largely screened from Dyffryn Place and Colcot Road by the intervening dwellings and garages fronting the street. Similarly, the rear garden is equally screened by a c 1.4 m close board fence on the north eastern boundary, and breeze block walls on the east and western boundaries. In terms of visibility, direct views of the rear garden of 1 Dyffryn Place are limited to the surrounding neighbouring dwellings first floor bedrooms / bathrooms. More limited views above 1.4 m can be gained from the neighbouring sports centre car park and surrounding rear ground floor windows / gardens of the immediately adjoining dwellings. Scrub vegetation, trees and wire mesh fencing also occupy the sports centre side of the north western boundary wall.
- 2.1.4 The site does not lie within a conservation area and there are no other statutory or non-statutory designations on or surrounding the site. An aerial and photos of the site are provided in **Appendix A**. The submitted site location plan (Site Location & Block Plan - Drawing No. 1DP_SLBP_RevB) is also provided at **Appendix B**.

2.2 Background to the appeal proposal

- 2.2.1 Full planning permission was granted on the 19th February 2020 for:
- "Demolition of the existing garage and construction of a 3 bay garage in the rear garden at 1, Dyffryn Place, Barry"* (ref: 2020/00002/FUL) (decision notice – **Appendix C**).
- 2.2.2 The proposed triple bay garage is to be situated to the northern end of the garden adjacent to the sports centre car park. The garage is intended to be used for the storage of the applicant's car collection, remaining incidental to the primary function of the semi-detached dwelling house. The approved Proposed Plans & Elevations - Drawing No. 1DP_PPE_revB are attached at **Appendix D**.



In terms of footprint, the proposed garage measures 9 m wide by 7.5 m long. In respect of height, the proposed garage measures 2.3 m to the eaves and 3.3 m to the ridge at a pitch of 15°.

2.2.3 As part of the planning application package, the proposal sought approval of a green insulated steel-clad garage (**Appendix E** - Representative Image of Garage Building Drawing No. 1DP/RIG Rev A Rev B). Notwithstanding correspondence with the appellant during the determination period, concern regarding the elected materials was not raised with the appellant by the case officer until 3.47 pm by e-mail on the date of determination (19th February 2020). In his e-mail, the officer states:

"We are minded to approve the application with a condition requiring further details on the finish but thought we would run this matter past you in advance. In terms of appropriate finishes, the use of timber cladding or render blockwork is considered more in keeping with a residential setting such as this. I'd be grateful if you could provide your thoughts before a decision is made. If a condition is attached, this would require an application submission to discharge and a fee of £25 so I would rather address the matter beforehand" (WYG underlining).

2.2.4 Given the decision notice was issued that day, the officer in fact clearly afforded no time for further discussion regarding the rationale for these concerns or consideration of suitable alternatives prior to determination. The appellant naturally raised issue with the case officer's position regarding the elected materials on the 20th February 2020, however at this time the planning application had already been determined and the materials condition attached (E-mail correspondence – **Appendix F**). Within the e-mail correspondence in response to the officer, the appellant confirms:

- That the roof pitch proposed was on the basis on the steel frame garage with insulated cladding;
- That the appellant had concerns in terms of the sustainability of garage using wood that would likely to need replacing several times during garage lifespan;
- That the selected materials approach remained comparable to that recently approved for a similar garage at 16 Heol Dewi Sant (ref: 2018/01369/FUL);
- Reiterated that the garage would be viewed in the context of the sports centre car park; and



- Set out willingness to discuss matters further including varying the colour palette of the proposals.

2.2.5 The officer continued to engage to contest the comparability of the 16 Heol Dewi Sant garage proposals with the appellant on the 20th February 2020 (which we dispute and discuss further at Section 4), notwithstanding that at this time the application had already been determined (**Appendix G**).

2.2.6 In view of the officer's concern regarding this materials approach, as mentioned, a pre-use condition was attached (Condition 3 of planning permission 2020/00002/FUL), which states:

"Notwithstanding the submitted plans and details, a schedule and samples of the external materials to be used in the construction of the garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be thereafter completed in accordance with the approved details.

Reason: To safeguard local visual amenities, as required by Policies MD2 (Design of New Development) & MD5 (Development within Settlement Boundaries) of the Local Development Plan".

2.2.7 Subsequently, an application to discharge condition 3 (ref: 2020/0002/FUL/1/CD) was made on 13th March 2020. This submission included the following documents:

- Cover Letter (dated 06032020)
- Application Form (dated 12032020)
- Site Location & Block Plan - Drawing No. 1DP_SLBP_RevB
- Proposed Plans & Elevations - Drawing No. 1DP_PPE_revB
- Representative Image of Garage Building - Drawing No. 1DP_RIGB_revB

2.2.8 As confirmed by the submitted covering letter dated 6th March 2020 (**Appendix H**) provided examples and visualisations of the proposed materials approach for the garage. The associated physical samples were equally delivered to the Council. The materials were confirmed as being:



- Elevations: White powder coated galvanised steel double skinned maxi-rib Kingspan panels (KS10000RW)
- Roof: Juniper green powder coated galvanised steel double skinned maxi-rib Kingspan panels (KS10000RW)
- Skylights: Polycarbonate fixed skylight panels; and
- Garage doors: Black insulated sectional garage doors.

2.2.9 The proposals had been revised from the uniform juniper green further to comments received from officers regarding the perceived industrial appearance. The appellant confirmed within the covering letter: *"I have taken on board comments raised during the planning process concerning the appearance of the new building and believe the change in colour and type of cladding now better reflect the residential nature of the location and mirror the existing house and garage"*.

2.2.10 The discharge of condition submission was consequently refused on 9th April 2020 on the following grounds:

"The materials proposed would give the garage an appreciably industrial/commercial appearance which, given its significant size, is considered inappropriate and visually harmful in this residential context. By reason of these materials the building would, in the view of the Local Planning Authority, fail to appear an appropriately designed domestic outbuilding. This would be contrary to local and national policies, specifically policies SP1, MD2 & MD5 of the Local Development Plan, TAN12 (Design) and advice within Planning Policy Wales (Edition 10)" (Officer Refusal Letter dated 9th April 2020) (**Appendix I**).



3.0 Planning Policy Context

3.1 Local Development Plan

3.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

If regard is to be had to the Development Plan for any purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the Plan unless material considerations indicate otherwise”.

3.1.2 The Development Plan for the area is formed by the Vale of Glamorgan Local Development Plan 2011-2026 (adopted 28 June 2017). The following policies are of relevance in respect of the proposed materials approach and associated extracts are attached at **Appendix J**.

Policy SP 1 (Delivering the Strategy)

“The strategy will seek to improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets...”

Policy MD2 (Design of New Development)

“In order to create high quality, healthy, sustainable and locally distinct places development proposals should: [inter alia]

- 1. Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;*
- 2. Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density...”*

Policy MD5 (Development within Settlement Boundaries)

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



3. *Is of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality...*"

Residential and Householder Development SPG (adopted, April 2018)

3.1.3 The Residential and Householder Development SPG (adopted, April 2018) also provides guidance to those looking to extend or alter their properties and forms a material consideration in the determination of householder planning applications and appeals in the Vale of Glamorgan.

3.1.4 In respect of the use of materials, Section 8.3.0 indicates the Key Principles as being as follows:

i. In most circumstances the materials used for the development should match and replicate those used on the original property.

ii. Where alternative materials and finishes are proposed, they should complement the colours, tones and textures of the original property and buildings in the surrounding area.

iii. Where a modern development is proposed, the use of contemporary and contrasting materials may be appropriate. These should, however, be of a high quality".

3.1.5 The relevant extract is provided at **Appendix K**.

Planning Policy Wales (Edition 10)

3.1.6 Planning Policy Wales (PPW) 10 sets out the land use planning policies of the Welsh Government. The following sections are deemed of relevance in terms of design, the use of materials and the development management approach to determining planning applications:

- *"The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations"*(Paragraph 3.9)
- *"A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process..."*(Paragraph 3.10)
- *"...they [LPAs] should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions"* (paragraph 3.16)



- Paragraph 3.16 continues to note: *"If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings"* (WYG underlining).
- *"Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications"*(paragraph 1.30)

3.1.7 The relevant extract is provided at **Appendix L**.

Technical Advice Note 12 (Design) (2016)

3.1.8 TAN 12 supplements PPW and provides guidance relating to design. It indicates:

- *"The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals"*(para 6.16)
- *"They [LPAs] should not impose architectural styles or particular tastes but should secure good quality design as applied to the local context"*(para 6.2)

3.1.9 The relevant extract is provided at **Appendix M**.



4.0 Appeal Analysis

4.1 Grounds of Appeal

4.1.1 The supporting Officer's Report relating to the 1 Dyffryn Place garage approval (ref: 2020/0002/FUL) (**Appendix N**) states:

"... the gardens of these neighbouring properties are long and given the amended scale, the fact that the garage would be located at the end of the garden and the boundary enclosures, the proposal is on balance not considered to be overbearing or unneighbourly"(p5).

4.1.2 It continues to note:

"The amended plans illustrate a significant reduction in the scale which would reduce the visual impact of the building. However, the garage would still be of a significant size and the green clad steel finish is considered unacceptable. It is therefore considered more appropriate to condition further details/samples of the external finish of the garages to allow the applicant to investigate a more appropriate finish. Subject to an appropriate finish, it is considered on balance that the amended proposal would not harm the visual amenities of the area of the character of the host dwelling to a degree that warrants refusal, and that the building would be of a size and form that, while large, is not untypical of domestic outbuildings".

As a result, subject to condition, the amended proposal, in design terms, is considered acceptable, and are therefore compliant with Policies MD2 and MD5 of the LDP"(p5).

4.1.3 The Officer's Report concludes by stating:

"Having regard to Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), and MD5 (Development Within Settlement Boundaries) of the adopted Vale of Glamorgan Local Development Plan (2011-2026); Supplementary Planning Guidance on Residential and Householder Development, and Parking Standards; and national guidance contained in Planning Policy Wales (Edition 10), and TAN 12 (Design); it is considered that the proposal represents an acceptable form of development to an existing dwelling which would not create an unacceptable impact on the character of the host dwelling or the existing street scene. The proposal would also not cause any detrimental impact on the privacy and amenity of neighbouring residential occupiers and



would ensure that sufficient parking and amenity provision remains on site to serve the extended dwelling” (p7).

4.1.4 In view of the preceding, the following matters relating to the approved garage that are not in dispute are deemed to be:

- The scale and massing of the proposed garage;
- The impact of the scale and massing on the host dwelling or on the character of the street scene; and
- The impact on privacy and amenity.

4.1.5 The key matter in question is whether the proposed materials approach alone (albeit with the understanding the scale and massing of the building), unacceptably impacts upon the character and appearance of the locality.

Reason for refusal

4.1.6 The Discharge of Condition 3 Decision Letter 2020/0002/FUL/1/CD was received on 9th April 2020 and in justification of the refusal states:

"The materials proposed would give the garage an appreciably industrial / commercial appearance which, given its significant size, is considered inappropriate and visually harmful in this residential context. By reason of these materials the building would, in the view of the Local Planning Authority, fail to appear an appropriately designed domestic outbuilding. This would be contrary to local and national policies, specifically policies SP1, MD2 & MD5 of the Local Development Plan, TAN12 (Design) and advice within Planning Policy Wales (Edition 10)" (pages 3 & 4) (WYG underlining).

4.1.7 Notwithstanding this, as previously mentioned, under the same local planning policy context and in a very similar environmental context (i.e. rear garden of a nearby property 16 Heol Dewi Sant) a comparable green metal clad garage was approved in 2019 (ref: 2018/01369/FUL) (approved plans / elevations - **Appendix O**).

4.1.8 In respect of the 16 Heol Dewi Sant garage proposals, the officer concludes: *"The metallic green panelling finish of the proposed garage is more reminiscent of a commercial style structure, however its location to the rear of the property and its set back distance from the street of*



approximately 23m is considered sufficient to ensure the proposal does not detract from the residential character of the area" (officer report extract – **Appendix P**).

- 4.1.9 Although it is acknowledged that the 16 Heol Dewi Sant garage unit is marginally smaller in scale, the matter in question is the external finish itself and not the merits of the garage size, which has already been found acceptable by virtue to the existing planning permission. The proposed Heol Dewi Sant material is understood to be a Steadman product (AS35_Generic_Tech-Brochure_SEP17) which is essentially identical in profile to the Kingspan product specified for the Dyffryn Place garage. When the comparison was drawn by the officer, it was suggested that: *"Your garage would be highly visible from the rear, given this and the 9 metre width and 7.5 metre depth, its impact would be far greater than that at 16 Heol Dewi"* (email dated 20th February 2020). Although the purpose of this appeal is not to discuss the merits of other proposals, the inability to draw comparison is fundamentally disputed. Particularly as the officer has previously commented in respect of 1 Dyffryn Place that the garage: *"...would not create an unacceptable impact on the character of the host dwelling or the existing street scene"* (Officer Report, p7). Although noting the garage would be visible from the sports centre car park, no specific concern had been raised by the officer regarding the impact of the proposals on the character and appearance of the car park.
- 4.1.10 The key point in this instance is that the officer fails to clearly justify (and evidence) how the visual impact of the materials approach would have such a negative effect that it could be reasonably concluded to *"unacceptably impact upon the character and appearance of the locality"*. Nor does the officer offer any analysis of the receptors of this visual impact (and "harm" in his words) within the decision-making process. As previously mentioned, the key vantage points of the garage will be primarily from the first-floor bedrooms and bathrooms of the surrounding dwellings. Views from the neighbouring gardens and from the sports centre car park will be predominantly limited to the roofscape and the uppermost section of the elevations above the 1.4 m high boundary fence. It is also worthwhile noting that given the appeal site does not lie adjacent to a public highway, a 2 m high fence could be installed under permitted development rights, if the appellant so wished. It is nonetheless accepted that there will undoubtedly be some visual impact resulting from the proposals. Notwithstanding this, whether the introduction of a white powder coated galvanised corrugated steel cladding with juniper green roofing (including skylights) results in such an unacceptable and unsympathetic impact to the character and appearance of the setting, when compared to the suggested timber cladding or render blockwork approach, to justify this refusal is seriously questioned.



4.1.11 Similarly, in a comparable residential context in the Romilly area of Barry, albeit within a more exposed and overlooked rear garden context, planning permission was granted for the erection of a summer house clad in corrugated galvanised sheet metal at Cwm Barry Way, Barry in March 2017 (ref: 2017/00052/FUL) (Unclad images of summerhouse structure - **Appendix Q**). In this regard, the officer states:

"... the applicant has proposed corrugated galvanized metal sheeting along with grey UPVC door. It is considered that the use of these materials is acceptable as the summer house would not be visible from any public vantage point within the street. Therefore, the use of these particular materials would not have any unacceptable impacts on the character of the dwelling or its siting within the wider street scene"(p7) (Officer Report - **Appendix R**)

4.1.12 The proposed materials approach is typical of many outbuildings, sheds, car ports and garages utilised across this part of Wales within rear gardens benefitting from permitted development rights, not subject to planning permission. The proposed Kingspan materials subject of this appeal are however of a notably higher quality, specification and appearance than the preceding example, whilst being comparable to Heol Dewi Sant. Furthermore, the selected colour palette has been chosen specifically to reflect white render and black fenestration found within the immediate setting (i.e. Dyffryn Place and Colcot Road), whilst the green roof allows the appearance of the roof will be reduced in the context of the intermittent vegetation on the north western boundary.

4.1.13 To summarise, the case officer advises that the selected materials would be *"inappropriate and visually harmful"* in the residential context. Conversely, the same use of comparable materials in a similar context at 16 Heol Dewi Sant were found to *"not detract from the residential character of the area"* and at Cwm Barry Way to *"not have any unacceptable impacts on the character of the dwelling or its siting within the wider street scene"*.

4.1.14 The proposed materials approach is considered to comply with local policy and guidance in that is it:

- *"sympathetic to and respects its immediate setting"*(Policy MD5);
- *"respond appropriately to local context and character of the neighbouring buildings"*(Policy MD2);
- Is not deemed to *"unacceptably impact upon the character and appearance of the locality"*(Policy MD5).; and



- In accordance with the Residential and Householder SPG, offers as an alternative material and finish which complements the colours and tones of the original property and buildings in the surrounding area.



5.0 Conclusion

- 5.1.1 In light of the foregoing analysis and contextual considerations, it is respectfully requested that the Planning Inspector contemplates the matters raised in relation to the determination of this appeal. Although not considered of direct relevance to the merits of the proposed materials in question, it is equally felt that the Vale of Glamorgan Council has not demonstrated, in this instance, a "*positive and proactive approach*" in terms of the development management process as set out in PPW 10 (para 1.30).
- 5.1.2 To conclude, it is considered that this appeal should be allowed and that the proposed materials should be accepted in respect of the proposed garage development at 1 Dyffryn Place, Barry.

Appendix A

Photo 1 - Aerial photo of appeal site (source: Bing Maps 2020)



Photo 2 - Photo taken from rear elevation of 1 Dyffryn Close facing toward sports centre car park





Photo 3 – Photo taken from first floor bedroom of 1 Dyffryn Close facing toward sports centre car park

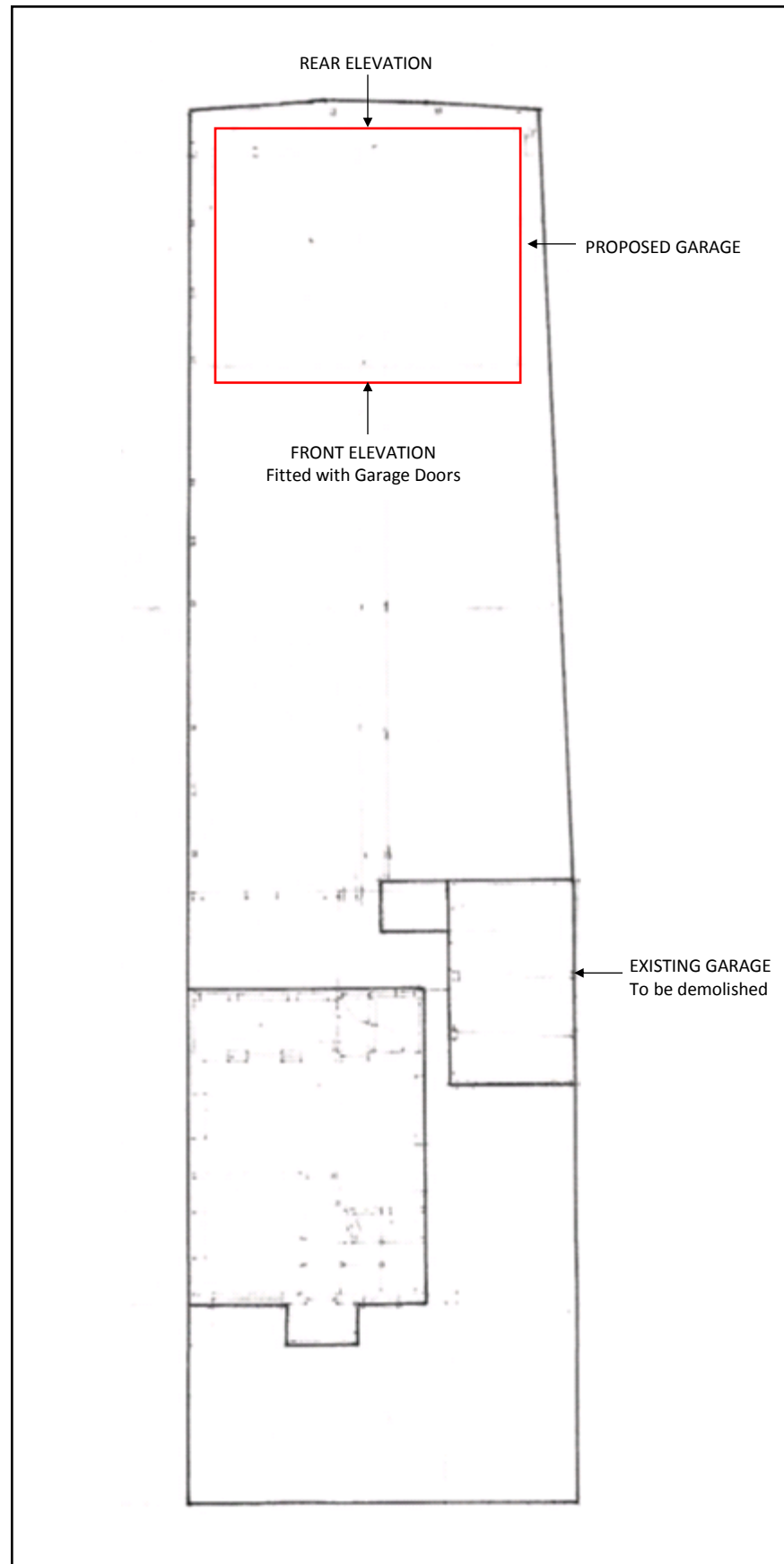


Photo 4 - Photo taken from sports centre car park of northern site boundary

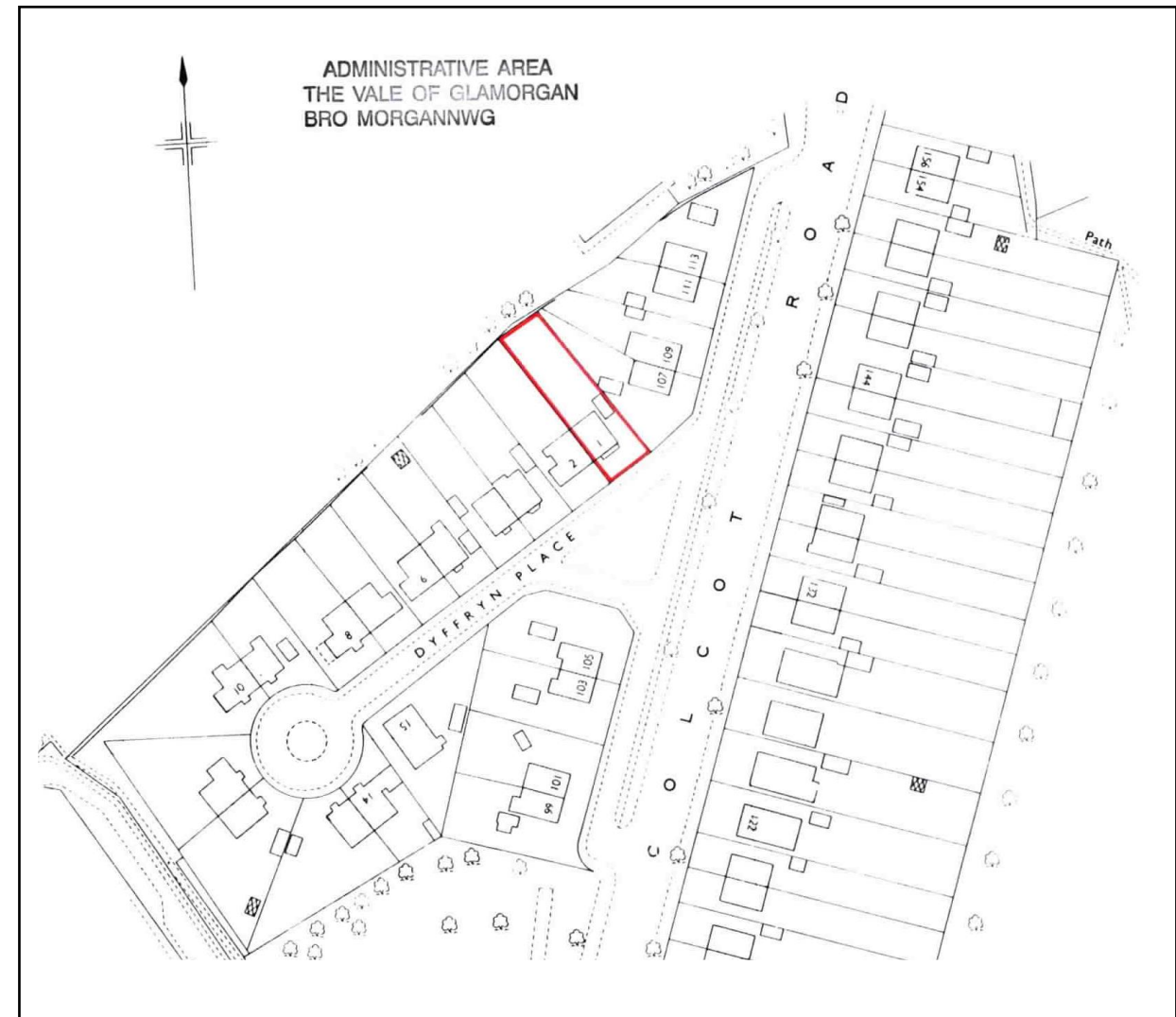




Appendix B



SITE BLOCK PLAN 1:200



SITE LOCATION PLAN 1:1250

Proposed Works DEMOLITION OF EXISTING SINGLE GARAGE AND CONSTRUCTION OF 3 BAY GARAGE BUILDING IN REAR GARDEN			
Address 1 DYFFRYN PLACE, BARRY, CF62 8UN			
Drawing Title SITE LOCATION AND BLOCK PLANS			
Drawing No. 1DP/SLBP Rev. B	Drawn By HD	Date 180919	Scale As Indicated @A3
Rev	Description	Rev	Description
A	Original Drawing	D	
B	Add elevation details - 110220	E	
C		F	



Appendix C

THE VALE OF GLAMORGAN COUNCIL

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Development Management Procedure) (Wales)
Order 2012

FULL PLANNING PERMISSION

Agent:
Mr. Huw Davies
1, Dyffryn Place
Barry
Vale of Glamorgan
CF62 8UN

Applicant:
Mr. Huw Davies
1, Dyffryn Place
Barry
Vale of Glamorgan
CF62 8UN

Demolition of existing single garage and construction of a 3 bay garage building in rear garden at 1, Dyffryn Place, Barry

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS PERMISSION** for the carrying out of the proposed development as described above and in accordance with the application and plans registered by the Council on 3 January 2020 subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:

AMENDED 1DP/PPE Rev. B PROPOSED PLANS AND ELEVATIONS
Received on 14 February 2020.

AMENDED 1DP/SLBP Rev. B SITE LOCATION AND BLOCK PLANS
Received on 14 February 2020.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Notwithstanding the submitted plans and details, a schedule and samples of the external materials to be used in the construction of the garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be thereafter completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies MD2 (Design of New Development) & MD5 (Development within Settlement Boundaries) of the Local Development Plan.

4. The garages hereby approved shall only be used for the parking of private vehicles and for purposes incidental to the enjoyment of the dwellinghouse known as 1 Dyffryn Place. It shall not be used for any business or commercial use and shall not be physically altered or converted without first obtaining the formal consent of the Local Planning Authority.

Reason:

To safeguard the amenities of neighbouring properties and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 Design of New Developments of the Local Development Plan.

Reason for Granting Planning Permission

The decision to recommend 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 Local Development Plan 2011-2026.

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

Having regard to Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), and MD5 (Development Within Settlement Boundaries) of the adopted Vale of Glamorgan Local Development Plan (2011-2026); Supplementary Planning Guidance on Residential and Householder Development, and Parking Standards; and national guidance contained in Planning Policy Wales (Edition 10), and TAN 12 (Design); it is considered that the proposal represents an acceptable form of development to an existing dwelling which would not create an unacceptable impact on the character of the host dwelling or the existing street scene. The proposal would also not cause any detrimental impact on the privacy and amenity of neighbouring residential occupiers and would ensure that sufficient parking and amenity provision remains on site to serve the extended dwelling.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Dated: 19 February 2020

M. J. Goldsworthy

Head of Regeneration and Planning

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES
ATTACHED TO THIS FORM**

NOTES

Notification to be sent to an applicant when a Local Planning Authority refuse planning permission or grant it subject to conditions.

Appeals to the Welsh Government:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can access their website here: <https://gov.wales/planning-appeals>
- The Welsh Government can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh Government need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

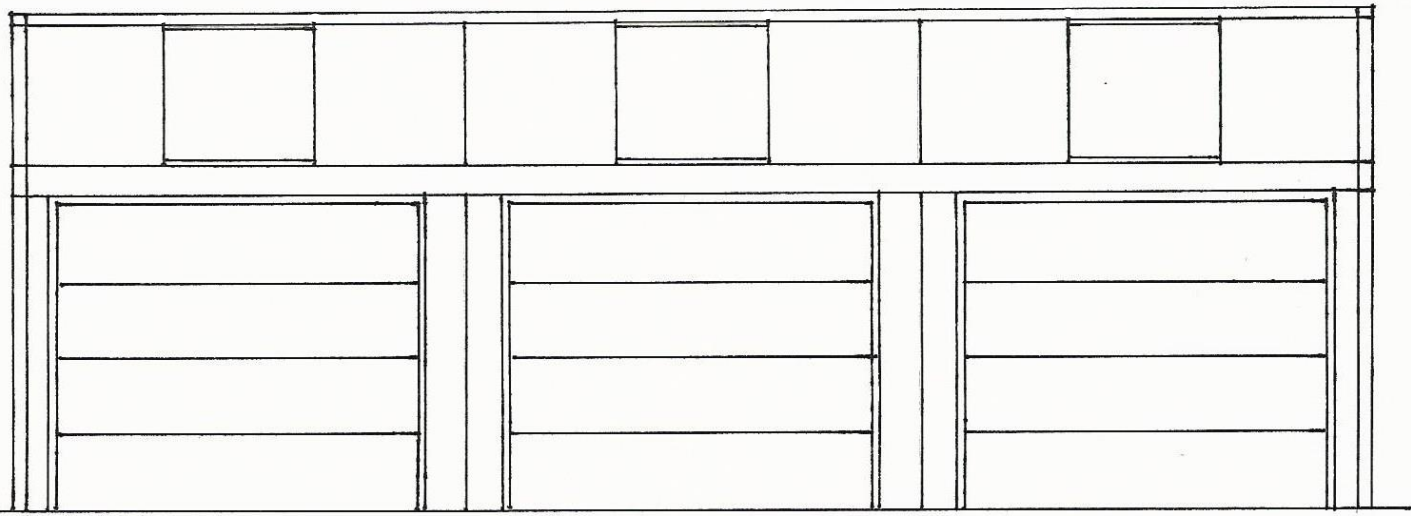
BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

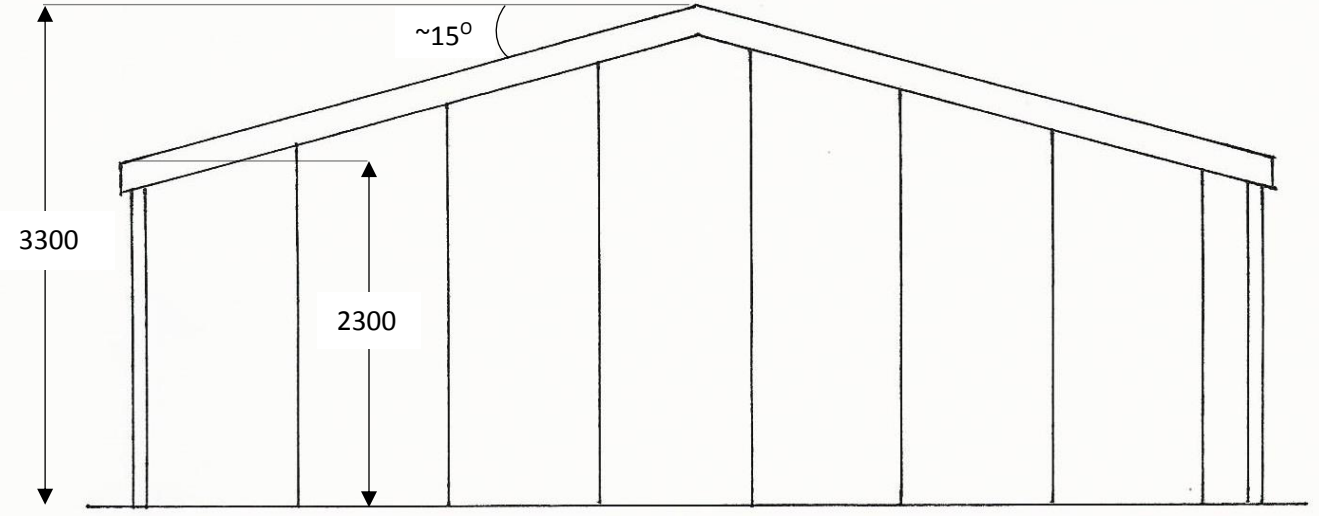
Please quote the application number in all correspondence.



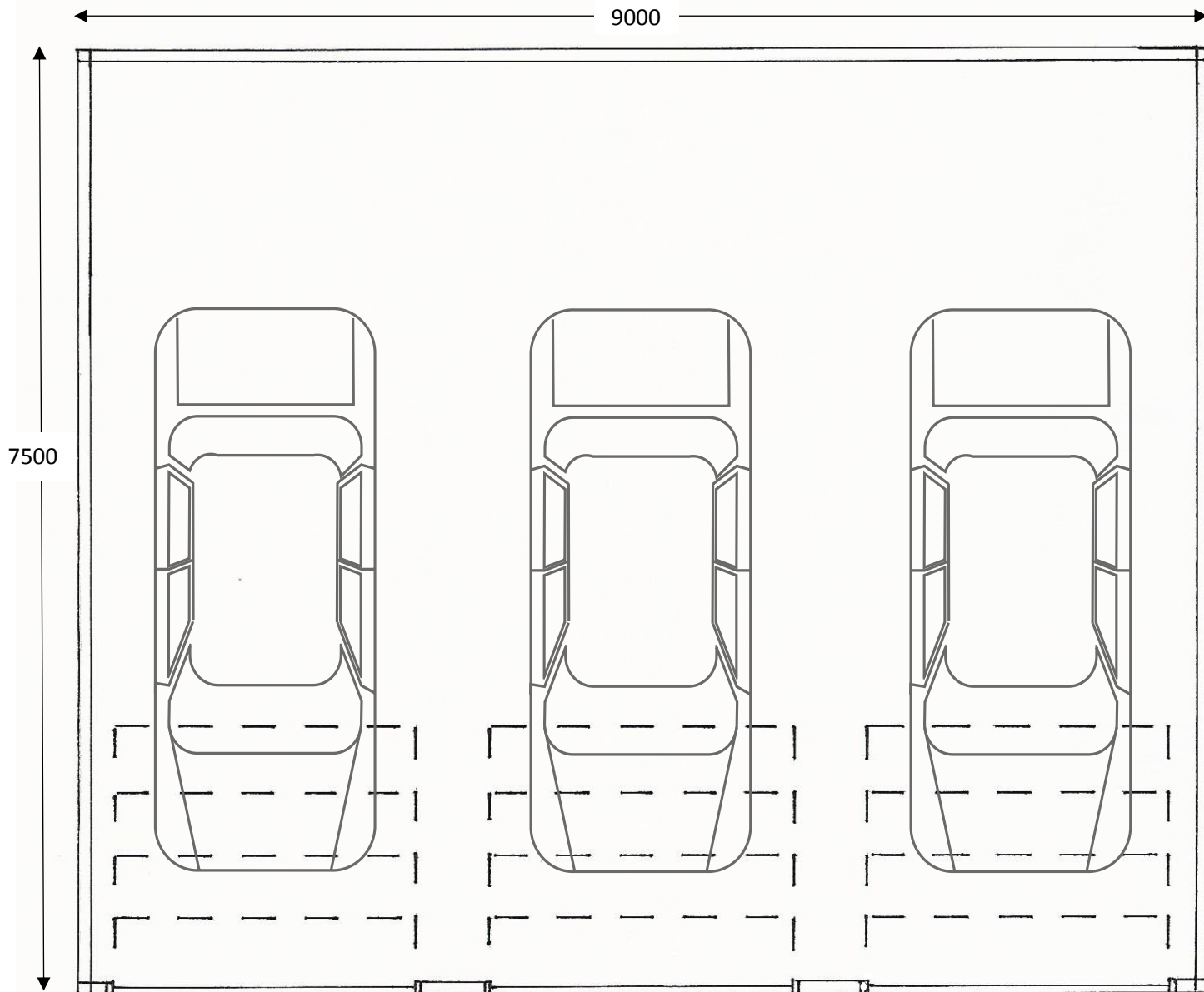
Appendix D



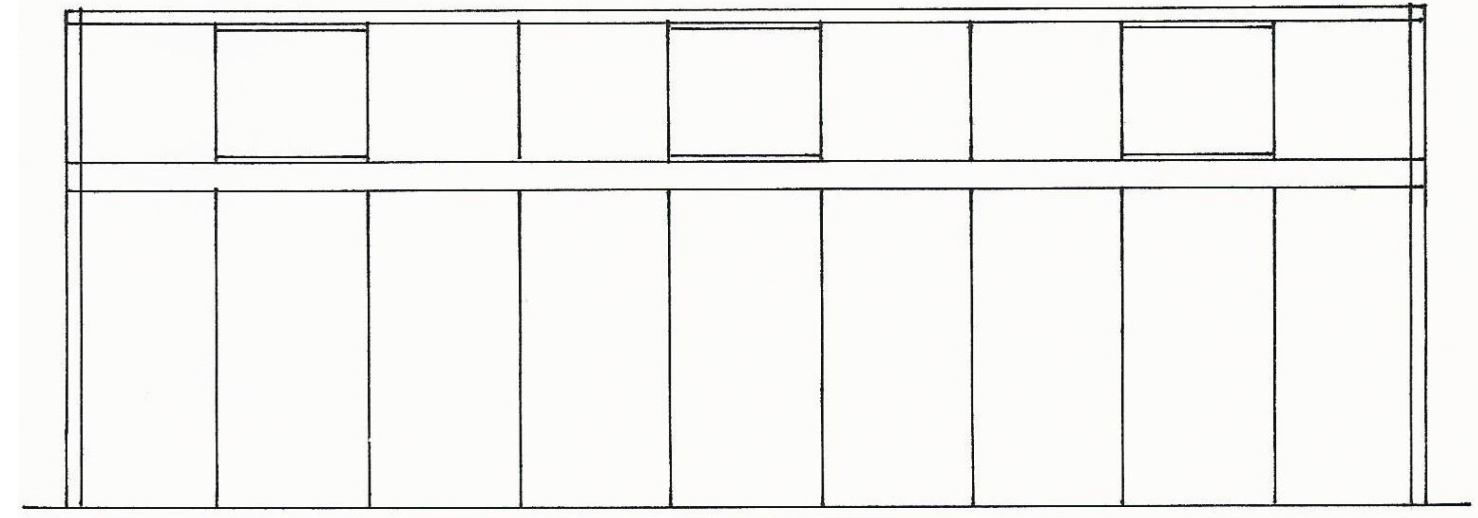
FRONT ELEVATION (View from rear of house)



SIDE ELEVATIONS



PLAN



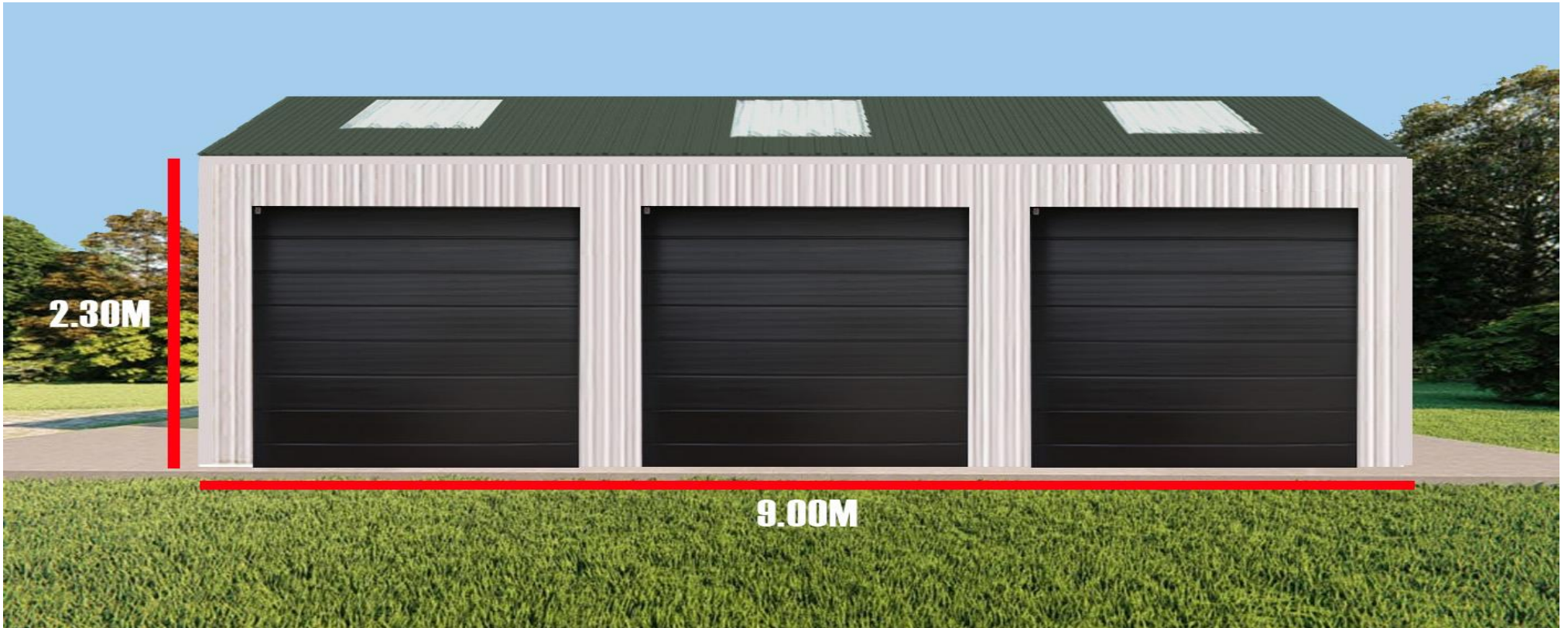
REAR ELEVATION

FINISHES
 Green insulated steel wall cladding
 Green insulated steel sectional doors
 Green insulated steel roof cladding with skylights

Proposed Works DEMOLITION OF EXISTING SINGLE GARAGE AND CONSTRUCTION OF 3 BAY GARAGE BUILDING IN REAR GARDEN			
Address 1 DYFFRYN PLACE, BARRY, CF62 8UN			
Drawing Title PROPOSED PLANS AND ELEVATIONS			
Drawing No. 1DP/PPE Rev. B	Drawn By HD	Date 261119	Scale 1:50 @ A3
Rev Description		Rev Description	
A Original Drawing		D	
B Revise ridge & eaves heights - 110220		E	
C		F	



Appendix E



Proposed Works

DEMOLITION OF EXISTING SINGLE GARAGE AND CONSTRUCTION OF 3 BAY GARAGE BUILDING IN REAR GARDEN

Address

1 DYFFRYN PLACE, BARRY, CF62 8UN

Drawing Title

REPRESENTATIVE IMAGE OF GARAGE BUILDING

Drawing No.	Drawn By	Date	Scale
1DP/RIGB Rev. B	HD	261119	Not Applicable

Rev	Description	Rev	Description
A	Original Drawing	B	Revised visual image - 120320



Appendix F

From: Huw Davies <huwpdavies@ntlworld.com>
Sent: 20 February 2020 10:24
To: 'Zahoor, Shafqut'
Cc: 'Huw Davies'
Subject: RE: 1 Dyffryn Place

Mr. Zahoor

I am rather surprised by the content of your latest e-mail.

At no time since the submission of my application have you even mentioned any concern that you might have over the external finish of my proposed garage. I would like to know why are you raising this now, some 7 weeks since you have had the application, and following on from your advice last week that you were going to grant permission?

I have investigated various options as to the construction of my proposed garage building. A steel frame garage with insulated cladding allows a shallower roof pitch of 5-10° compared with conventional tiled buildings which require a roof pitch greater than 20°, thereby reducing the ridge height for a given eaves height, and hence visual impact. Unless I use a hybrid block building with metal sheet roofing it would not be possible to keep the ridge height below the 3.3m ridge height you have imposed. I have never seen a timber clad garage locally and needed to look online to see examples. The examples showed metal clad garages either partially or fully clad with timber. Depending on the method of attachment, I have concerns both about compromising the insulation of the metal cladding and the sustainability of using wood that could be expected to be replaced several times during the life of the garage.

In addition, and having regard to its location at the rear of my property with the public car park and sports centre buildings immediately adjacent AND having regard to the council's granting of planning permission for a similar form of development in Heol Dewi Sant (2018/01369/FUL), I believe I have come up with the most appropriate application. I have, as you know, already agreed to vary the original proposal at your suggestion. For your information, the sports centre bungalow – now changing room – has a green metal profile roof fitted by the council.

The garage unit constructed at Heol Dewi Sant is, I would suggest, in a much more residential location than mine being surrounded on all sides by houses and gardens, and similarly backs on to playing fields. I appreciate that its ridge height at 3.05 m is lower than my own proposal of 3.3m (this height advised by you), although it should be noted that the approved eaves height at 2.7m is actually higher than that the 2.3m allowed at Dyffryn Place. If it would assist you, I can look to submit a further drawing to mirror their development in terms of ridge and eaves height, although I should point out it uses exactly the same cladding finish as I propose. Would a suggestion to use an alternative colour scheme, e.g. changing from green to light grey, be an acceptable alternative? I have attached a colour palette from a supplier that shows a range of available colours:

Standard Colours

Some of our most popular standard colours are shown below and you can mix these colours to create an attractive looking building of your choice.
More standard colours are available.



Other than replicating the Heol Dewi Sant development or amending the colour scheme, I do not propose to change my application any further at this late stage. In the event you decide, taking into account my comments above, that my application is still not appropriate I am more than happy to proceed to an appeal upon receipt of a decision notice and look forward to reviewing your reasons for refusal. The alternative, which I have previously broached with you, is to go forward with a proposal that accords with current permitted development rights and that will not involve you in any way. Such an alternative may be less space efficient and be more conspicuous to neighbours than the current planning application proposal.

I would like to take this opportunity to query the inclusion of the Barry Town Council comments which according to the planning website were received after the stated expiry date. Is it normal practice to accept comments after the stated expiry date?

Planning Application Details for : 2020/00002/FUL

[Comment on this planning application](#)

Name	Date Sent	Type	Expiry Date
Barry Town Council	7 Jan 2020	Consult	28 Jan 2020

Planning Application Details for : 2020/00002/FUL

[Comment on this planning application](#)

Name	Created
1DP/RIGB Rev. A REPRESENTATIVE IMAGE OF GARAGE BUILDING	03/01/2020
1DP/PPE Rev. A PROPOSED PLANS AND ELEVATIONS	03/01/2020
1DP/SLBP Rev. A SITE LOCATION AND BLOCK PLANS	03/01/2020
Application Form (Redacted)	03/01/2020
Acknowledgements	07/01/2020
Site Notice	10/01/2020
Barry Town Council, Town Hall, King Square, Barry, CF63 4RW	31/01/2020
AMENDED 1DP/PPE Rev. B PROPOSED PLANS AND ELEVATIONS	14/02/2020
AMENDED 1DP/SLBP Rev. B SITE LOCATION AND BLOCK PLANS	14/02/2020

I look forward to hearing your response to my comments.

Regards

Huw Davies

From: Zahoor, Shafqut [mailto:szahoor@valeofglamorgan.gov.uk]

Sent: 19 February 2020 15:57

To: Huw Davies <huwpdavies@ntlworld.com>

Subject: 1 Dyffryn Place

Mr Davies,

I have discussed your application with my line manager with a view of making a decision. My line manager does not consider the external finished to be appropriate in this residential location. We are minded to approve the application with a condition requiring further details on the finish but thought we would run this matter past you in advance. In terms of appropriate finishes, the use of timber cladding or render blockwork is considered more in keeping with a residential setting such as this. I'd be grateful if you could provide your thoughts before a decision is made. If a condition is attached, this would require a application submission to discharge and a fee of £25 so I would rather address the matter beforehand.

Regards

Shafqut Zahoor
Senior Planner / Uwch gynllunydd
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704608
mob / sym:
e-mail / e-bost: szahoor@valeofglamorgan.gov.uk

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Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

Visit our Website at www.valeofglamorgan.gov.uk
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[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

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



Appendix G

From: Zahoor, Shafqut [<mailto:szahoor@valeofglamorgan.gov.uk>]
Sent: 20 February 2020 12:20
To: Huw Davies <huwpdavies@ntlworld.com>
Subject: RE: 1 Dyffryn Place

Mr Davies,

Thank you for your email. Having discussed the amendments with my line manager and the operational manager for Planning, it was considered that whilst the reduction went some way in reducing the impact of the proposal, given the overall size and visibility of the garage, they did not feel such a finish would be acceptable.

I accept that the Council have approved steel cladding and I have never suggested otherwise. However, as we discussed on the phone, every application is judged on its own merits. No two sites are identical and whilst you mention the roof of the Council building being steel clad, the walls are not. You also refer to a property at Heol Dewi Sant, whilst I would not normally compare developments I feel that on this occasion comparing this development to yours will highlight my point that both proposals are very different.

	1 Dyffryn Place	16 Heol Dewi
Ridge height	3.3m	3.050m
Eave Height	2.3m	2.7m
Width	9m	7m
Length	7.5	7m
Distance from side boundaries	0.6m	0.8m
Distance from rear boundary	0.6m	1.5-5m
Level difference of land to rear	No level difference	Approximately 0.4m higher

Boundary Treatment

Approximately 1.4m 2 metre close boarded fence and mature trees on adjoining land

As you can see from the above, there are significant differences between the sites and the developments. Your garage would be highly visible from the rear, given this and the 9 metre width and 7.5 metre depth, its impact would be far greater than that at 16 Heol Dewi.

I am minded to approve the application with a condition requiring further details/samples of the external finishes. You can then submit details/samples that you believe would not give the building an undue industrial appearance. You would then be in a position to appeal any such condition or appeal any refusal of the external finishes should the council refuse to approve any submitted samples. At this stage I don't believe a grey cladding would overcome the concerns we have.

In terms of comments from Barry Town Council, it is not uncommon to accept comments after the 21 days consultation period.

Kind Regards

Shafqut Zahoor
Senior Planner / Uwch gynllunydd
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704608
mob / sym:
e-mail / e-bost: szahoor@valeofglamorgan.gov.uk

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[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

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Planning Application Details for : 2020/00002/FUL

[Comment on this planning application](#)

Details	Other Details	Decision	Consultees	Neighbours	Documents	Public Notices	Constraints
Name	Date Sent	Type	Expiry Date				
Barry Town Council	7 Jan 2020	Consult	28 Jan 2020				

Planning Application Details for : 2020/00002/FUL

[Comment on this planning application](#)

Name	Created
1DP/RIGB Rev. A REPRESENTATIVE IMAGE OF GARAGE BUILDING	03/01/2020
1DP/PPE Rev. A PROPOSED PLANS AND ELEVATIONS	03/01/2020
1DP/SLBP Rev. A SITE LOCATION AND BLOCK PLANS	03/01/2020
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Sent: 19 February 2020 15:57
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Shafqut Zahoor
Senior Planner / Uwch gynllunydd
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth
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Ewch i'n gwefan yn www.bromorgannwg.gov.uk



Appendix H

1 Dyffryn Place
Barry
Vale of Glamorgan
CF62 8UN

M.J.Goldsworthy
Head of Regeneration and Planning
Vale of Glamorgan Council
Dock Office
Barry
CF63 4RT

06th March 2020

Dear Sir

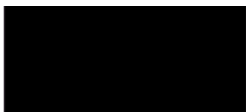
PLANNING PERMISSION 2020/00002/FUL
1 DYFFRYN PLACE BARRY
DISCHARGE OF CONDITION 3 – EXTERNAL MATERIALS

Further to the grant of planning permission on 19th February, I write to seek the discharge of Condition 3 and attach for your approval a schedule and samples of the external materials intended to be used in the construction of the new garage.

I have taken on board comments raised during the planning process concerning the appearance of the new building and believe the change in colour and type of cladding now better reflect the residential nature of the location and mirror the existing house and garage. I also attach an indicative colour representation of the proposed building and a photograph of a garage actually constructed in the proposed cladding type to aid in your consideration.

I look forward to receiving confirmation that the condition has been satisfied.

Yours faithfully

A solid black rectangular box used to redact the signature of Huw Davies.

Huw Davies

Enc. Schedule
Kingspan cladding colour samples

Schedule

- Constructed from double skinned 'Kingspan' (KS1000RW) panels which are Plastisol coated, galvanised steel for durability and longevity
- Insulated to 40mm to the walls and roof to prevent condensation
- 1 Hour fire rating as standard
- Galvanised 'C' section steel framework with minimal loss of space internally
- UV protective coating to prevent fading
- Design life in excess of 40 years
- The steel buildings are virtually zero maintenance
- Superior looks in a wide range of standard colours



Specification

Insulation Level	40mm to the walls and roof
Panel Profile	Double skin – maxi-rib profile
Panels	Kingspan composite panels
Fire Rating	1 hour
External Dimensions	9m x 7.5m approx.
Eaves Height	2.3m
Roof Type	Apex style roof
Ridge Height	3.3m
Main Door	3 x Electric insulated sectional doors
Skylights	Polycarbonate fixed skylights
Windows	Not Applicable
Guttering	Guttering included (choice of white, black or brown)
Colour	Walls (White), Roof (Juniper Green or Anthracite Grey)
Interior Colour	Powder coated white

Example

An actual garage constructed with Kingspan composite panels



Existing Finishes



House – white walls with green roof



Garage – white walls with grey roof, black garage door

Proposed Finishes



Visual representation of proposed garage – juniper green roof, white walls and black sectional doors



Appendix I

Date/Dyddiad: 9 April 2020

Ask for/Gofynwch am: Mr. Shafqut Zahoor

Telephone/Rhif ffon: (01446) 7044608

Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/SZ/2020/00002/1/CD

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

The Vale of Glamorgan Council
Dock Office, Barry Docks, Barry CF63 4RT
Tel: (01446) 700111

Cyngor Bro Morgannwg
Swyddfa'r Doc, Dociau'r Barri, Y Barri CF63 4RT
Ffon: (01446) 700111

www.valeofglamorgan.gov.uk



Mr Huw Davies
1 Dyffryn Place
Barry
CF62 8UN

Dear Sir

Town and Country Planning Act, 1990 (as amended)
Planning Permission Reference: 2020/00002/1/CD
Proposal: Discharge Condition 3 [Materials] of Planning Permission
2020/00002/FUL for the Demolition of existing single garage and construction
of a 3 bay garage building in rear garden
Location: 1, Dyffryn Place, Barry

REFUSAL

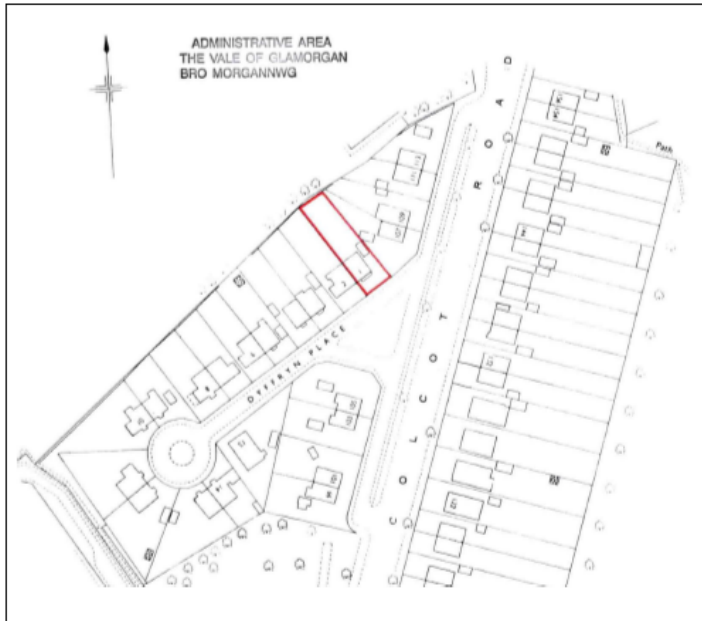
I refer to the above referenced planning permission approved and the details submitted in respect of the following conditions of that permission.

SITE AND CONTEXT

The application site relates to 1 Dyffryn Place, a two storey, semi-detached dwelling located within the Barry Settlement Boundary. The site benefits from a front garden and rear garden together with off road parking and a detached single storey garage.

The surrounding area is residential in nature with residential properties forming the neighbours to the side. The rear boundary of the site abuts a sport centre car park.

An extract of the site location plans below identifies the site:



DESCRIPTION OF DEVELOPMENT

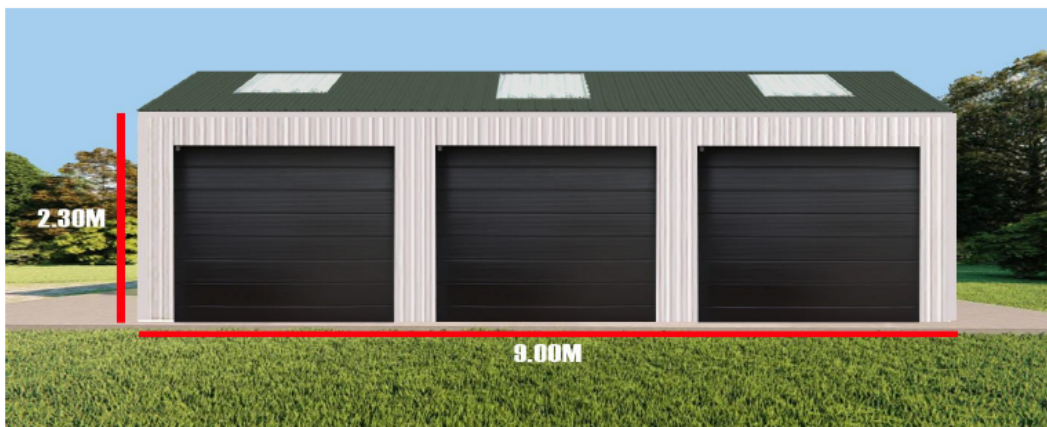
Planning permission was granted under planning reference: 2020/00002/FUL for the demolition of the existing garage and construction of a 3 bay garage. Condition 3 of that planning permission states:

Notwithstanding the submitted plans and details, a schedule and samples of the external materials to be used in the construction of the garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be thereafter completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies MD2 (Design of New Development) & MD5 (Development within Settlement Boundaries) of the Local Development Plan.

This application seeks to discharge the above condition by providing details of the roof and wall cladding together with the colour of the roller shutter. An elevation plan and have also been provided to demonstrate the proposal.





REPORT

The original planning application as submitted proposed a larger garage finished in green cladding. Following officer concerns about the industrial look of the building, amended plans were submitted reducing the scale of the garage. Whilst the building had been reduced to a scale that officers felt on balance could be supported, the cladding element remained a matter of concern.

The officer report stated:

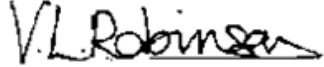
The amended plans illustrate a significant reduction in the scale which would reduce the visual impact of the building. However, the garage would still be of a significant size and there are concerns that a green clad steel finish would give the appearance of an industrial building, as opposed to a domestic outbuilding, given the size. It is therefore considered more appropriate to condition further details/samples of the external finish of the garages to allow the applicant to investigate an appropriate finish. The applicant has been advised of these concerns and remains keen to use a metal clad finish. While an alternative colour may be more appropriate, there remain concerns with a material of this type, however, the condition does not explicitly preclude metal and will give the applicant an opportunity to submit samples.

Whilst the condition did not preclude metal in principle (to give you an opportunity to investigate and consider different types of materials). The details submitted do not overcome the above concerns raised in the officer's report. The materials proposed would give the garage an appreciably industrial/commercial appearance which, given its significant size, is considered inappropriate and visually harmful in this residential context. By reason of these materials the building would, in the view of the Local Planning Authority, fail to appear an appropriately designed domestic outbuilding. This would be contrary to local and national policies, specifically

policies SP1, MD2 & MD5 of the Local Development Plan, TAN12 (Design) and advice within Planning Policy Wales (Edition 10).

On this basis I advise that the details submitted with regard to the following condition are **REFUSED**

Yours faithfully,

A handwritten signature in black ink that reads "V.L. Robinson". The signature is written in a cursive style with a horizontal line underneath the name.

Victoria Robinson
Operational Manager Development Management

Note for applicant/agent

THESE NOTES SHOULD ALWAYS BE
REPRODUCED WITH COPIES OF THE
DECISION NOTICE

NOTES

Notification to be sent to an applicant when a Local Planning Authority refuse planning permission or grant it subject to conditions.

Appeals to the Welsh Government:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can access their website here: <https://gov.wales/planning-appeals>.
- The Welsh Government can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh Government need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION
AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY
LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO
ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND
TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence.



Appendix J

Strategic Policies

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

POLICY SP1 -

DELIVERING THE STRATEGY

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

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

7. Promoting opportunities for sustainable tourism and recreation; and
8. Favouring development that promotes healthy living.

POLICY MD5 -

DEVELOPMENT WITHIN SETTLEMENT BOUNDARIES

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

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



POLICY MD2 - DESIGN OF NEW DEVELOPMENT

In order to create high quality, healthy, sustainable and locally distinct places development proposals should:

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



Appendix K

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

8.3. Materials

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

8.3.2. Key principles:


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

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



Appendix L

density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development.

- 3.8  Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits.


Character

- 3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.
- 3.10 In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the
- existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.

Community Safety

- 3.11 Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. The aim should be to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal.

Movement

- 3.12  Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate.
- 3.13 Existing infrastructure must be utilised and maximised, wherever possible. Where new infrastructure is necessary to mitigate transport impacts of a development and to maximise accessibility by sustainable non-car modes, it should be integrated within the development layout and beyond the boundary, as appropriate. This could include works to connect cycle routes within a site to a wider strategic cycling network or provision of bus priority measures on highway corridors serving a new development.

Appraising Context

- 3.14 Site and context analysis⁸ should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals.

Considering Design Issues

- 3.15 Development plans should include policies and guidance that promote good design in the built environment and be sufficiently robust to refuse poor quality development proposals. Planning authorities should consider strategic design issues (such as site location, context and connectivity) when making development plan allocations and reference these in the plan. A variety of tools (such as development briefs, design frameworks and supplementary planning guidance, including Place Plans) can be used to outline specific sustainable design requirements where applicable to a particular local issue or specific sites. These can also help to identify and coordinate opportunities to revitalise towns and other urban areas and to guide development generally. The Design Review service offered by the Design Commission for Wales⁹ can provide independent advice and feedback on individual schemes and framework documents.

- 3.16 Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions. If a decision maker considers that a planning application should not be approved because of design concerns they should ensure that these reasons are clearly articulated in their decision and justified with sufficient evidence. In the event of an appeal, in these circumstances, the Planning Inspectorate will need to examine the issues in detail and consider if the proposal meets the objectives of good design including the relationship between the site and its surroundings.

Design and Access Statements

- 3.17  A Design and Access Statement¹⁰ communicates what development is proposed, demonstrates the design process that has been undertaken and explains how the objectives of good design and placemaking have been considered from the outset of the development process. In preparing design and access statements, applicants should take an integrated and inclusive approach to sustainable design, proportionate to the scale and type of development proposal. They should be 'living' documents dealing with all relevant aspects of design throughout the process and the life of the development, clearly stating the design principles and concepts adopted and include illustrative material in diagrams, plans, elevations and sections where relevant.

⁸ Further information is contained within Welsh Government Practice Guidance on Site and Context Analysis: <https://beta.gov.wales/planning-developments-site-and-context-analysis-guide>

⁹ <http://dcfw.org>

¹⁰ Further information is contained within Welsh Government Practice Guidance on Design and Access Statements: <https://beta.gov.wales/planning-applications-guidance-design-and-access-statements-das>

certainty for developers and the public about the type of development that will be permitted at a particular location. LDPs contain locally specific policies to explain or develop national policy further and to take forward local priorities for action. Evidence is needed to support LDP policies which is tested through the Examination procedure. They may be prepared individually or jointly by two or more planning authorities.

- 1.27 LDPs should have regard to the relevant local well-being plans and area statements which have been produced for the area. LDPs must be in general conformity with the NDF and SDP.

Place Plans

- 1.28 Place Plans are non statutory documents. They may be prepared at the initiation of the local community and are a powerful tool to promote collaborative action to improve well-being and placemaking. Place Plans should support the delivery of LDP policies and are adopted as supplementary planning guidance.
- 1.29 Detailed procedural advice on the preparation of SDPs, LDPs and Place Plans is contained in the Development Plan Manual.

Managing New Development

- 1.30 Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications. It is led by the planning authority, working collaboratively with those proposing developments and other stakeholders including the local community. It must be undertaken in the spirit of partnership and inclusiveness (using the five ways of working) and supports the delivery of key priorities and outcomes (contributing to improving

the social, economic, environmental and cultural well-being).

- 1.31 Detailed guidance on the processes and procedures that should be followed can be found in the Development Management Manual.

The Welsh Ministers' General Role in Decision Taking⁷

- 1.32 Development proposals are generally best determined locally by LPAs which know their area, its needs and sensitivities. The Welsh Ministers do not interfere with LPAs' jurisdiction unless it is necessary to do so. Certain types of planning application, however, must be made, referred or notified to the Welsh Ministers.
- 1.33 Planning applications for Developments of National Significance (DNS) are made directly to the Welsh Ministers. Categories of DNS and their associated thresholds are published by the Welsh Ministers and there is detailed guidance which supplements the determination process.
- 1.34 LPA's must refer to the Welsh Ministers, in accordance with the provisions of relevant Notification Directions, applications which they do not propose to refuse for the following categories of development:
- (i) **Flood Risk Area Development** – incorporating emergency services or highly vulnerable development (10 or more dwellings for residential schemes), where the entire site is within flood zone C2;
 - (ii) **Significant Residential Development** – residential development of more than 150 units or residential development on more than 6 hectares of land, not in accordance with the provisions of the development plan in force in the area;

⁷ Further information can be found at: <https://gov.wales/topics/planning/developcontrol/?lang=en>
Please note we anticipate forthcoming changes to the scope of some of the Notification Directions.



Appendix M

6. Local Planning Authority

Design Policy and Advice

6.1 Local planning authorities are responsible for preparing design advice for their areas which takes account of national policy guidance and also reflects local context and issues. Advice should be disseminated through development plans and through a wide range of SPG. In the preparation of advice, local planning authorities should identify the user group or individuals at whom the advice is aimed and work collaboratively to ensure that the content, format and type of advice is most appropriate to meet users needs. Local planning authorities should examine how in the exercise of their statutory functions they can ensure they are responsive to local concerns. This may mean exploring new ways of achieving meaningful participation in policy formulation and in SPG preparation. The level of community involvement should be sufficient to allow adequate evaluation of the needs and concerns of end users, community and business interests at each stage of the design process.

Development Plans

6.2 Local planning authorities should not repeat national policy but include clear robust policies on design in their development plans which address local issues and should be based on relevant evidence. These should set out the planning authority's design expectations. They should not impose architectural styles or particular tastes but should secure good quality design as applied to the local context (local distinctiveness). Such local policies should reflect the objectives of good design set out in Section 2.

6.3 For development plans, achieving the preferred strategy and plan objectives may require strategic, generic and cross cutting design policy. Plans may incorporate targeted design policies for major areas of change or protection, strategic sites or for certain types of development. If there are specific issues in a local planning authority's area which are likely to be relevant to the content of design and access statements and/or intends to produce SPG, these should be signposted in the development plan.

6.4 The development plan can identify the need for a more rigorous approach by applicants to the statutory design and access requirements than is advised by national policy, provided there is evidence to justify such an approach. Design and access statements must always include an appraisal of the development's context, and include relevant policies set out in the development plan, national planning policy and any other material policy considerations.



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Offices, Aberystwyth

*Achieving high sustainable
building standards*

Developing Local Sustainable Building Policies

6.5 Local circumstances may provide opportunities for local planning authorities to set local requirements on strategic sites identified in LDPs that exceed the minimum required by Building Regulations.

6.15 Although SPGs will be produced by local planning authorities it is important to develop design related guidance in consultation with the general public and with the private sector as well as other interested organisations. Care should be taken to ensure that participation is fully inclusive by appropriate choice of venue, timing of events and in the clarity of the material produced. Initiatives that enable stakeholder involvement in decision making help to contribute to the development of more sustainable communities and achieve development that better responds to local context³⁵.

Development Management

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

Design and Access Statements

6.17 It is a statutory requirement that certain applications for planning permission and listed building consent are accompanied by a design and access statement (DAS)³⁶. Further guidance relating to the requirement for a DAS can be found in guidance produced by the Welsh Government and Design Commission for Wales³⁷.

6.18 The DAS is a communication tool which outlines how the design of the proposal has been considered from the outset of the development process and how the objectives of good design have been used to inform this. The benefit of the DAS to developers, applicants, local communities and local planning authorities is outlined in the above mentioned guidance.

Pre-application discussions³⁸

6.19 One aim of pre-application discussions should be to identify the key design and access issues arising from a development proposal at the outset. The basis for discussions on design will have been set by relevant national and development plan policies and SPG. Discussions should focus on meeting objectives of good design and covering the topics to be addressed in the design and access statement. Planning officers should give a clear opinion as to whether the proposed design and access statement, vision and objectives are in accordance with policy and SPG. Issues of detailed design would not normally be addressed until later in this evolving process. Discussions

³⁵ For useful guidance see *Planning Officers' Society Wales (2005) A Model Design Guide for Wales – Residential Development* (<http://dcfw.org/a-model-design-guide-for-wales-residential-development/>) and *WLGA (2007) Shaping the Way we Work, Live and Play* (www.wlga.gov.uk/sustainable-development/shaping-the-way-we-work-live-and-play)

³⁶ *The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)* (www.senedd.assembly.wales/mglssueHistoryHome.aspx?lId=6965)
The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (www.legislation.gov.uk/wsi/2012/793/contents/made)

³⁷ *Welsh Government (2016) Development Management Manual* (www.gov.wales/topics/planning/?lang=en)
Design Commission for Wales (2014) Design and Access Statements in Wales (<http://dcfw.org/design-and-access-statements-in-wales/>)
Welsh Government (2016) Technical Advice Note 12: Design – Guidance on Design and Access Statements (www.gov.wales/topics/planning/policy/tans/tan12/?lang=en)

³⁸ *Welsh Government (2012) Practice Guide: Realising the Potential of Pre-application Discussions* (www.gov.wales/topics/planning/policy/guidanceandleaflets/preappguide/?lang=en)
Welsh Government (2016) Development Management Manual (www.gov.wales/topics/planning/?lang=en)





Appendix N

Mr. Huw Davies, 1, Dyffryn Place, Barry, Vale of Glamorgan, CF62 8UN
Mr. Huw Davies, 1, Dyffryn Place, Barry, Vale of Glamorgan, CF62 8UN

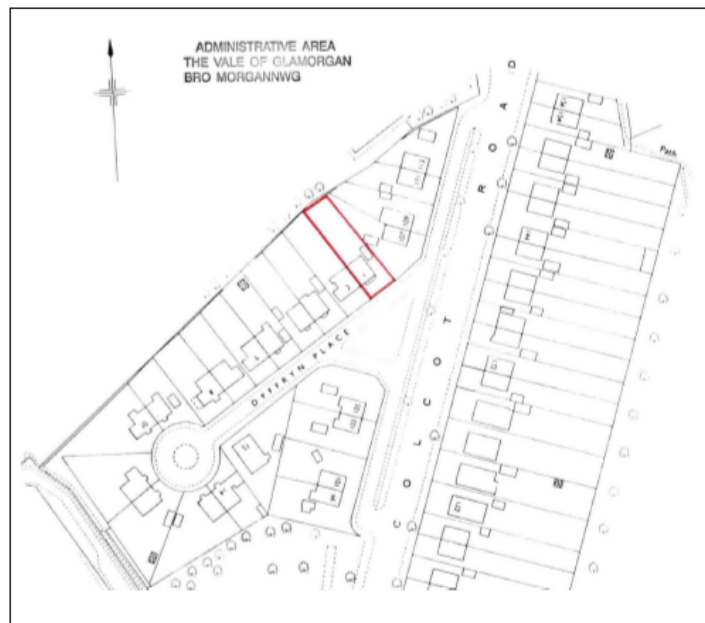
1, Dyffryn Place, Barry

Demolition of existing single garage and construction of a 3 bay garage building in rear garden

SITE AND CONTEXT

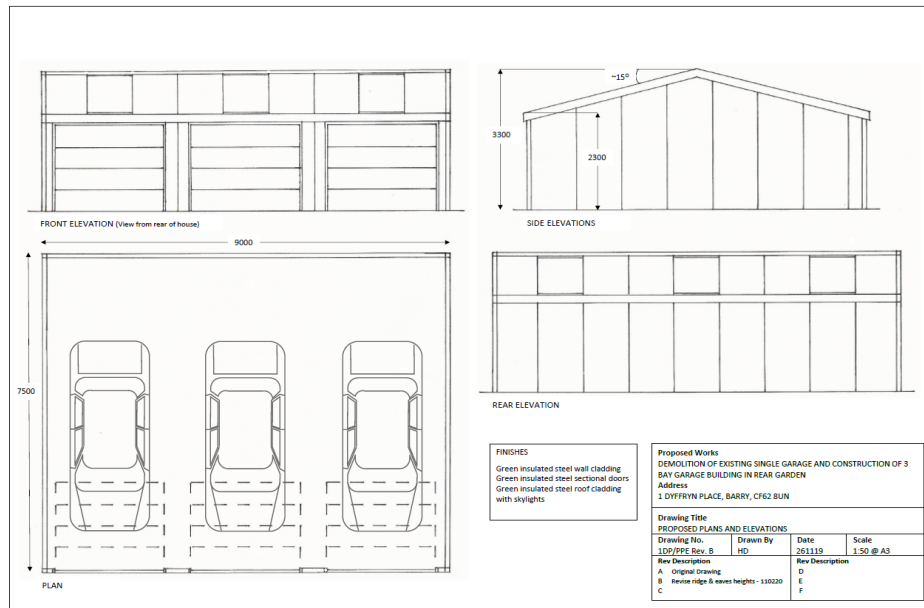
The application site relates to 1 Dyffryn Place, a two storey, semi-detached dwelling located within the Barry Settlement Boundary. The site benefits from a front garden and rear garden together with off road parking and a detached single storey garage.

The surrounding area is residential in nature with residential properties forming the neighbours to the side. The rear boundary of the site abuts a sport centre car park.



DESCRIPTION OF DEVELOPMENT

This is a full application for the demolition of the existing garage to the side and the construction of a replacement single storey 3 bay garage to the rear. The proposed garage would be used to store the applicants car collection and used in an incidental manner.



PLANNING HISTORY

No History

CONSULTATIONS

Barry Town Council were consulted on 7 January 2020. Objection raised to the original plans on the grounds that 1. The proposals are an overdevelopment of a domestic garden area and would adversely affect the amenities currently enjoyed by neighbouring residential dwellings; 2. The proposed development is of an unacceptable size and design which would be visually intrusive.

Dyfan Ward Members were consulted on 7 January 2020. No response was received at the time of writing this report.

REPRESENTATIONS

The neighbouring properties were consulted on 7 January 2020 and a site notice was also displayed on 10 January 2020. To date 1 no letter of support has been received from a neighbour who supports the application.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

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

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 10, 2018) (PPW) is of relevance to the determination of this application.

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

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 12 – Design (2016)

Supplementary Planning Guidance:

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

- Parking Standards (2019)
- Residential and Householder Development (2018)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Well-being of Future Generations (Wales) Act 2015

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

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Issues

In assessing the proposal against the above policies and guidance, the principal issues to consider in the determination of this planning application include the design and scale of the proposal, and their visual impact on the character of the host dwelling, as well as the impact on the character of the wider street scene. Also, to be considered is the potential impact on the amenity of neighbouring residential occupiers, and the impact on parking provision and amenity space.

The application as submitted proposed a larger garage block measuring 4 metres to ridge and 3.3 metres to eaves. Following officer concerns, amended plans were received reducing the scale of the proposal. These amended plans form the basis of this decision.

Design, Scale and Visual Impact

In policy terms the site is located within the Settlement Boundary for Barry, as identified in the LDP. Policy MD5 (Development within Settlement Boundaries) states that new development within settlements will be permitted where the proposed development:

- Makes efficient use of land or buildings.
- Is of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality.
- The proposal would not result in the loss of natural or built features that individually or cumulatively contribute to the character of the settlement or its setting.

Policy MD2 (Design of New Development) is also relevant, and states that in order to create high quality, healthy, sustainable and locally distinct places development proposals should:

- Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest.
- Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density.

The application proposes the demolition of the existing garage and construction of a 3-bay garage. The proposed garage would be located to the rear of the property and would therefore not be visible from the immediate streetscene to the front. The site's rear boundary is however visible from the adjoining public car park serving the sports centre. The proposal seeks to finish the garages in green steel-clad panels which are generally more akin with industrial buildings. The application as submitted proposed a larger garage which was considered to result in an over scaled industrial looking building in this residential setting.

The amended plans illustrate a significant reduction in the scale which would reduce the visual impact of the building. However, the garage would still be of a significant size and the green clad steel finish is considered unacceptable. It is therefore considered more appropriate to condition further details/samples of the external finish of the garages to allow the applicant to investigate a more appropriate finished. Subject to an appropriate finish, it is considered on balance that the amended proposal would not harm the visual amenities of the area of the character of the host dwelling to a degree that warrants refusal, and that the building would be of a size and form that, while large, is not untypical of domestic outbuildings..

As a result, subject to condition, the amended proposal, in design terms, is considered acceptable, and are therefore compliant with Policies MD2 and MD5 of the LDP.

Impact on Neighbouring Amenity

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

The proposed garage would be located between 0.6-0.8 metres from the side boundaries with neighbouring residential properties at No 2 Dyffryn Place and 107 Colcot Road. It would extend approximately 7.5 metres along the boundary. The current boundaries with the neighbouring properties are formed by solid fencing and walls measuring approximately 1.8 metre high. Whilst the garage would be sited off the boundary, it will run alongside a significant extent of the boundary. However, the gardens of these neighbouring properties are long and given the amended scale, the fact that the garage would be located at the end of the garden and the boundary enclosures, the proposal is on balance not considered to be overbearing or unneighbourly.

During discussions with the applicant, it was stated that the additional height originally proposed was necessary to allow a car vehicle ramp to be installed in the garages allowing the applicant to store 6 cars. The applicant was advised of the LPA's concerns relating to the noise impact of such machinery and concerns as to the intended use of the garage. The applicant has confirmed in writing that the garage would be for personal use and used to store his car collection. The amended garage scale would ensure that the garage does not result in a development that is of a scale and that may not be considered incidental. In addition, a condition would need to be attached to ensure that the garage is not used for commercial purposes and remains incidental to the dwelling.

Given the design of the proposal, there are no concerns relating to neighbouring privacy. Accordingly, it is considered that the amended proposal would not adversely impact upon the amenities of neighbouring dwellings. In this respect it is considered that the proposal complies with policies MD2 and MD5 of the Adopted LDP 2011-2026.

Parking Provision

Criterion 3 of Policy MD2 requires proposed developments to have no unacceptable impact on the amenity and character of the locality by way of noise, traffic congestion and parking. The Council's Car Parking Standards for residential development require a maximum of 1 space per bedroom with a maximum of 3no spaces per unit.

The proposal would introduce 3 off road parking spaces and there is a driveway to the side of the property which would allow additional off road parking. As such, the proposal is considered compliant with criterion 3 of Policy MD2.

Amenity Space

In terms of amenity space, the Council's approved Supplementary Planning Guidance: Residential and Householder Development (2018) indicates a need for 12.5-20 sqm per person. The SPG also requires that garden areas of the dwelling should be of a useable shape, form and topography.

The application property benefits from a large garden measuring approximately 300 sqm. Whilst the garage would occupy a significant area of the rear garden, the remaining garden level is considered sufficient to serve the dwelling.

Other Matters

Comments from Barry Town Council have been noted and points raised have been addressed in the body of the report. The amended proposal is considered to overcome the concerns raised.

In view of the above the following recommendation is made.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), and MD5 (Development Within Settlement Boundaries) of the adopted Vale of Glamorgan Local Development Plan (2011-2026); Supplementary Planning Guidance on Residential and Householder Development, and Parking Standards; and national guidance contained in Planning Policy Wales (Edition 10), and TAN 12 (Design); it is considered that the proposal represents an acceptable form of development to an existing dwelling which would not create an unacceptable impact on the character of the host dwelling or the existing street scene. The proposal would also not cause any detrimental impact on the privacy and amenity of neighbouring residential occupiers and would ensure that sufficient parking and amenity provision remains on site to serve the extended dwelling.

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

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:

AMENDED 1DP/PPE Rev. B PROPOSED PLANS AND ELEVATIONS
Received on 14 February 2020.
AMENDED 1DP/SLBP Rev. B SITE LOCATION AND BLOCK PLANS
Received on 14 February 2020.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Notwithstanding the submitted plans and details, a schedule and samples of the external materials to be used in the construction of the garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be thereafter completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies MD2 (Design

of New Development) & MD5 (Development within Settlement Boundaries) of the Local Development Plan.

4. The garages hereby approved shall only be used for the parking of private vehicles and for purposes incidental to the enjoyment of the dwellinghouse known as 1 Dyffryn Place. It shall not be used for any business or commercial use and shall not be physically altered or converted without first obtaining the formal consent of the Local Planning Authority.

Reason:

To safeguard the amenities of neighbouring properties and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 Design of New Developments of the Local Development Plan.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

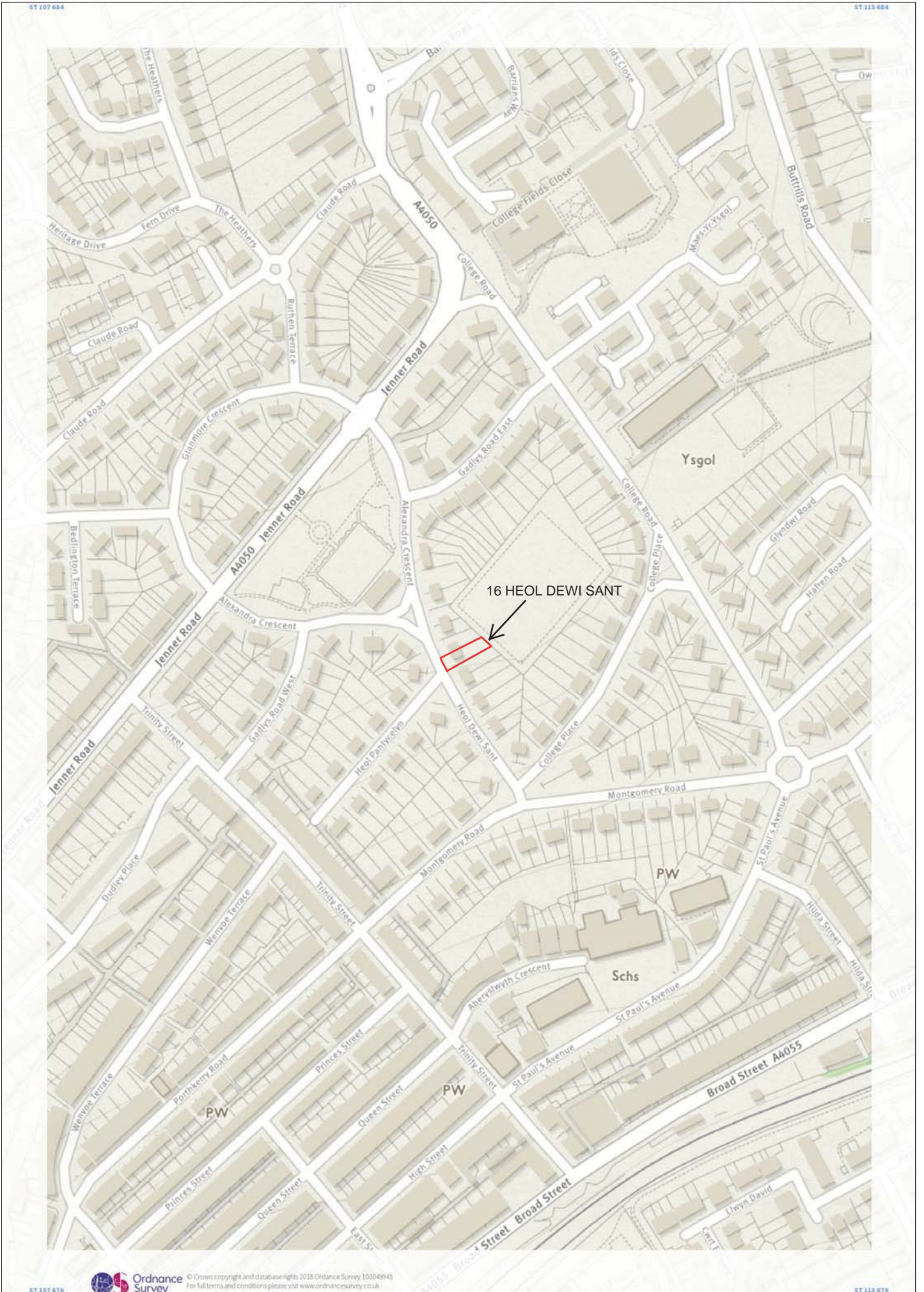
In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

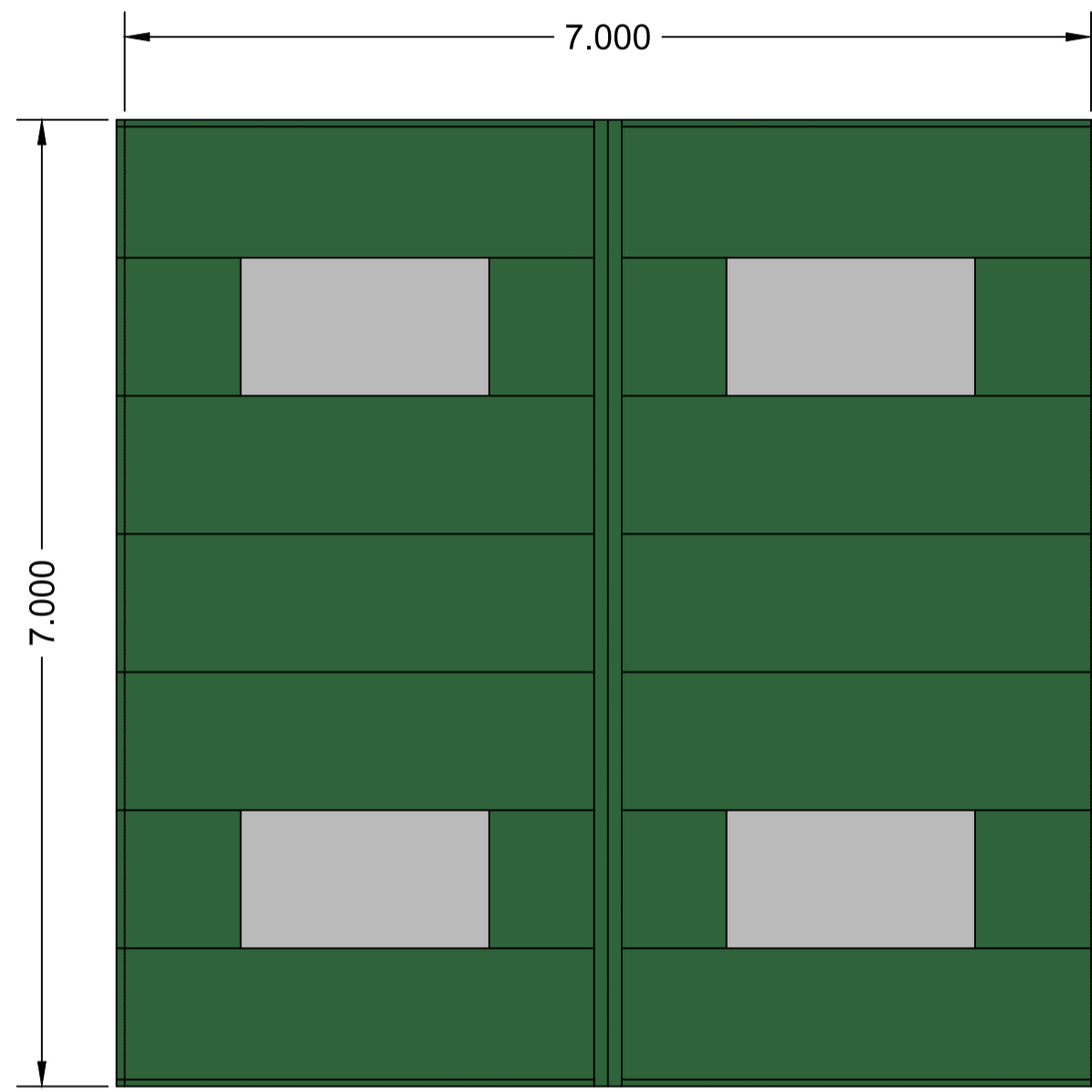
Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.



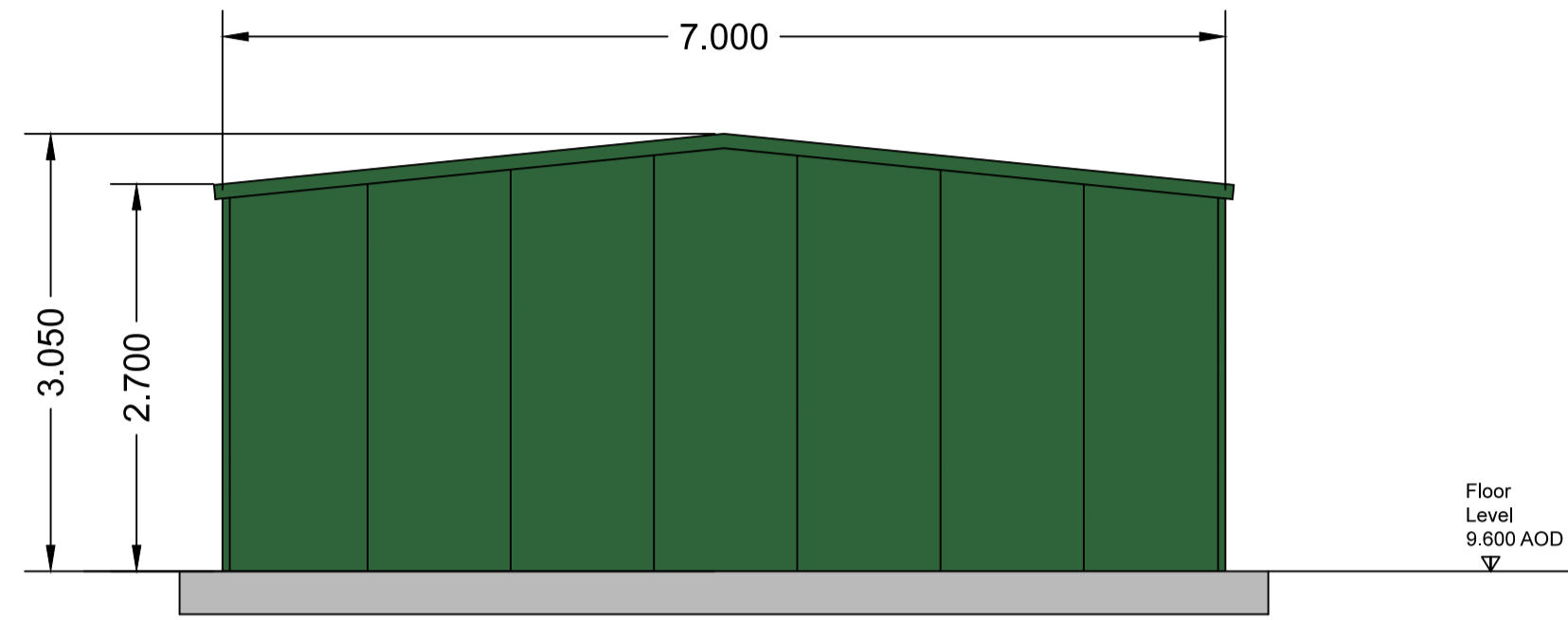
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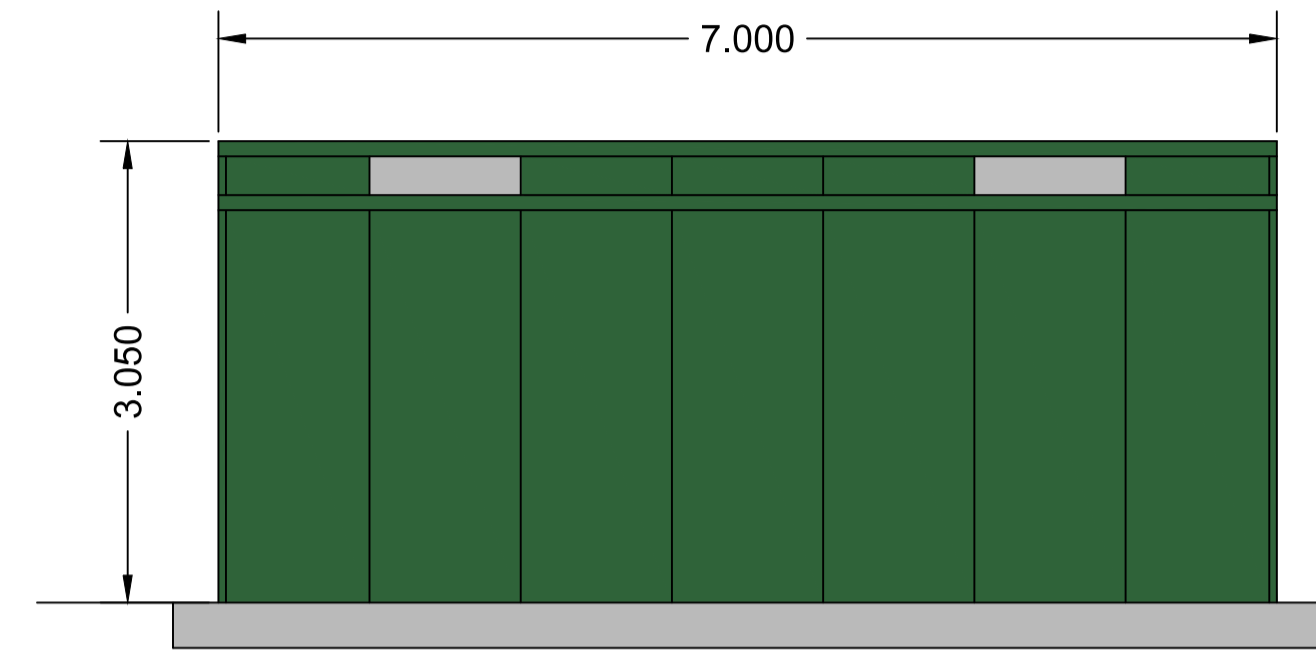
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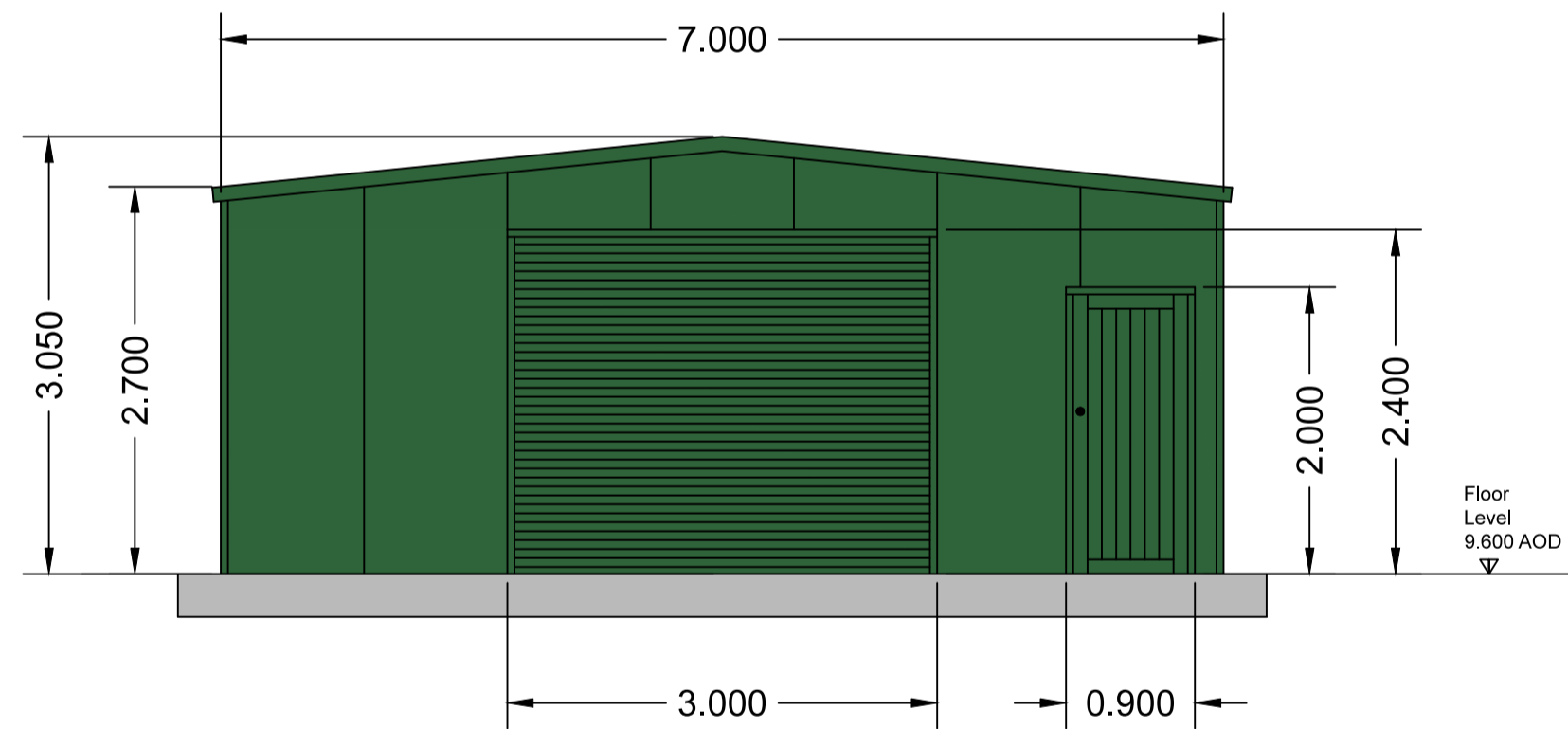
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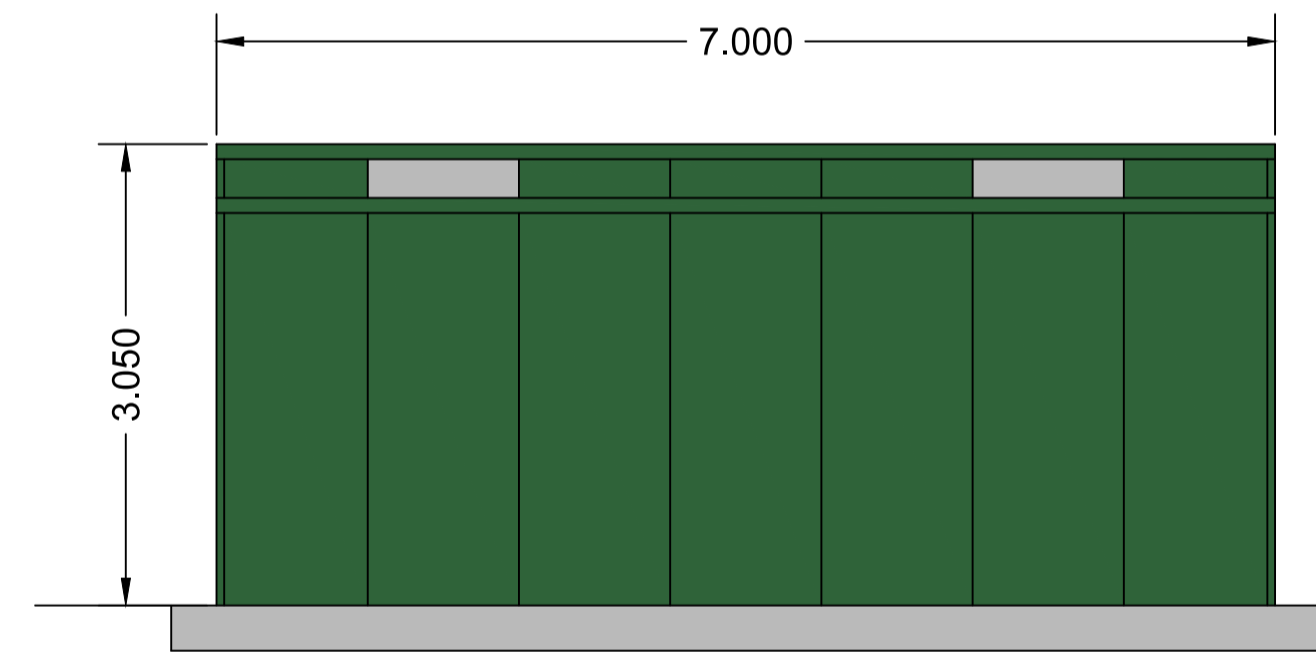
REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION

BUILDING OUTLINE

SCALE 1 : 50 @ A1 (1 : 25 @ A3)

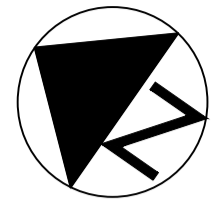
NOTES

1. ALL DIMENSIONS ARE IN METRES.
2. THIS DRAWING IS PROVIDED FOR PLANNING PURPOSES ONLY. PLEASE REFER TO MANUFACTURERS FABRICATION DRAWINGS FOR CONSTRUCTION DETAILS.
3. BUILDING DETAILS:
 - SPAN (WIDTH): 7.000 M
 - LENGTH: 7.000 M
 - EAVES HEIGHT: 2.700 M
 - ROOF PITCH: 5.000 DEGREES
 - RIDGE HEIGHT: 3.050 M
- WALL MATERIAL: 40MM THICK AS35/1000 WALL PANELS. U-VALUE 0.50 (W/M2K). COLOUR: GREEN.
- ROOF MATERIAL: 40MM THICK AS35/1000 ROOF PANELS. U-VALUE 0.50 (W/M2K). COLOUR: GREEN.
- PERSONNEL DOOR: 1 NO. RH. HINGED OUTWARD OPENING DOOR. NO GLAZING.
- ROLLER DOOR: 1 NO. DOMESTIC QUALITY, INSULATED, ELECTRICALLY OPERATED ROLLER SHUTTER DOOR. 3.000 M WIDE X 2.400 M HIGH.
- SKYLIGHTS: 2 NO. PER BAY. 4 NO IN TOTAL.

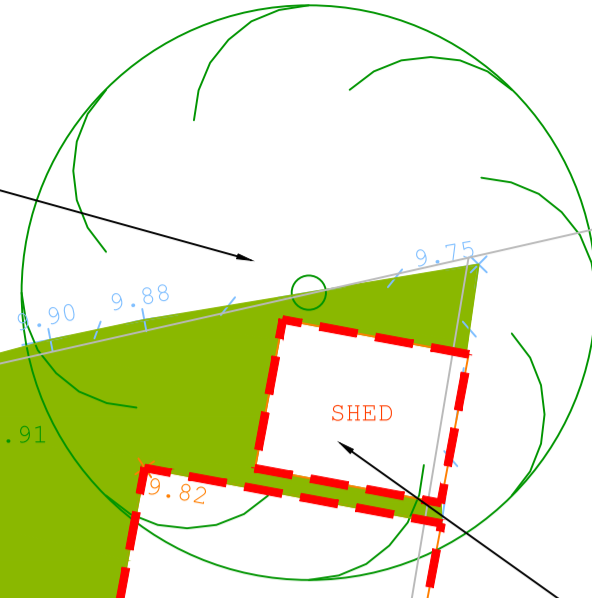
Rev	By	Date	Description of Amendment	Chk. by	Date

Project	16 HEOL DEWI SANT BARRY PROPOSED GARAGE	
Title	BUILDING OUTLINE	

Checked	TJH	Path	
Drawn	TJH	Project Number	2018 - HDS - NG
Scale	AS SHOWN	Drawing Number	02
Date	NOV '18		



EXISTING LARGE BEECH TREE TO BE RETAINED.
CARE TO BE EXERCISED WHEN WORKING IN PROXIMITY.



EXISTING STEEL SHED TO BE REMOVED.

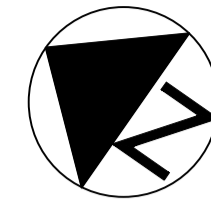
EXISTING BLOCKWORK/STEEL GARAGE TO BE REMOVED.

EXISTING RUBBLE TO BE REMOVED.

EXISTING RUBBLE TO BE REMOVED.



EXISTING LAYOUT / TOPO SURVEY
SCALE 1 : 100 @ A1 (1 : 200 @ A3)



TOPSOIL AND GRASS SEED TO REAR/SIDE OF PROPOSED GARAGE.

EDGE OF CONCRETE DRIVE IMPROVED.

TOPSOIL AND TURF TO REAR GARDEN.

PROPOSED INSULATED STEEL GARAGE.
PLEASE SEE DRAWING 2018-HDS-NG-02
FOR ELEVATIONS AND FURTHER
DETAILS.

MISSING PATH TO BE REPLACED.

TOPSOIL AND TURF TO FRONT GARDEN.



PROPOSED LAYOUT
SCALE 1 : 100 @ A1 (1 : 200 @ A3)

KEY

- Boundary of building to be demolished.
- Grass
- Concrete
- Rubble

Serial number: 147510
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Rev	By	Date	Description of Amendment	Chk. by	Date

Project	16 HEOL DEWI SANT BARRY PROPOSED GARAGE		
Title	EXISTING AND PROPOSED LAYOUTS		

Checked	TJH	Path	
Drawn	TJH	Project Number	2018 - HDS - NG
Scale	AS SHOWN	Drawing Number	01
Date	NOV '18		

TIM HOWELLS
16 HEOL DEWI SANT | BARRY | CF62 7BY



Appendix P

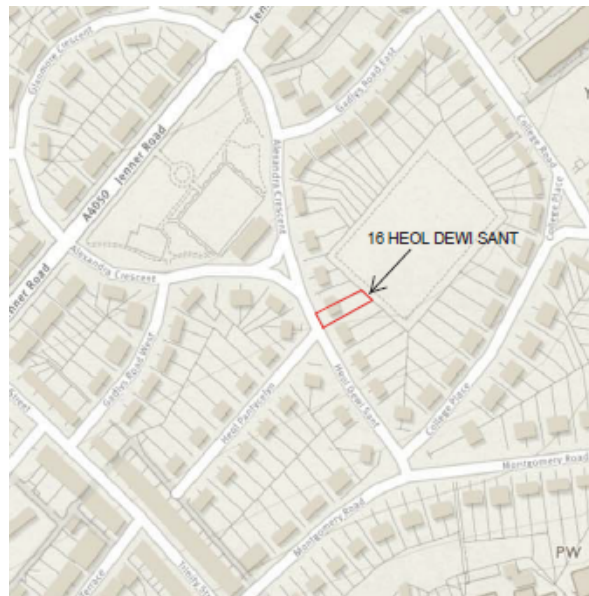
Mr. Tim Howells 16, Heol Dewi Sant, Barry, Vale of Glamorgan, CF62 7BY

16, Heol Dewi Sant, Barry

Demolition and removal of existing concrete block/timber/steel garage, incl. floor slab and foundations. Removal of existing steel storage shed. Construction of new insulated steel garage, including new floor slab and foundations

SITE AND CONTEXT

The proposed development relates to no.16 Heol Dewi Sant and is located within the settlement boundary of Barry. The existing property is a two storey semi-detached dwelling which benefits from a driveway and an existing single storey detached garage to the rear of the property. The property itself is set back from the street by approximately 6m resulting in an area of amenity space to the front. The surrounding street scene is characterised by similar property types which share comparable material finishes.



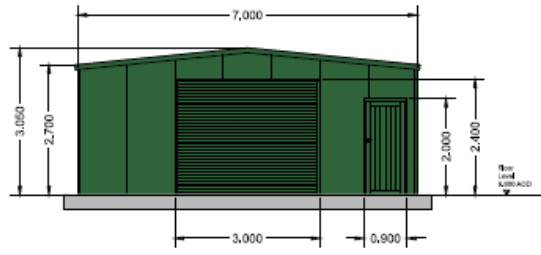
DESCRIPTION OF DEVELOPMENT

The application seeks consent for a replacement detached garage to be located to the rear of the property. The proposal would result in the demolition of the existing detached garage on site and the infill of current hard standing to the front and rear of the property to topsoil and turf. The proposed detached garage would measure approximately 7m wide x 7m deep x 3m high (eaves height 2.7m) and would have a shallow pitched roof design with 4 roof lights. The garage will contain two openings to the front elevation consisting of a garage door measuring approximately 3m wide x 2.4m high and a doorway measuring approximately 0.9m wide x 2m high. The proposed garage will be finished in metallic green panelling.

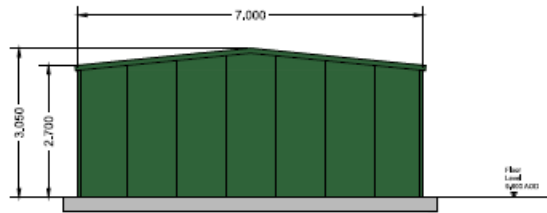
Existing



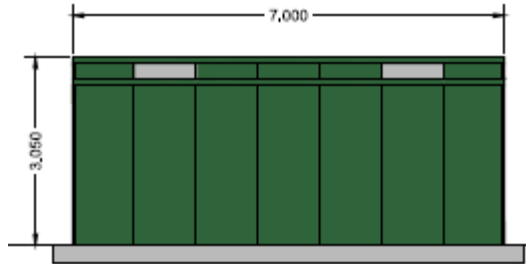
Proposed



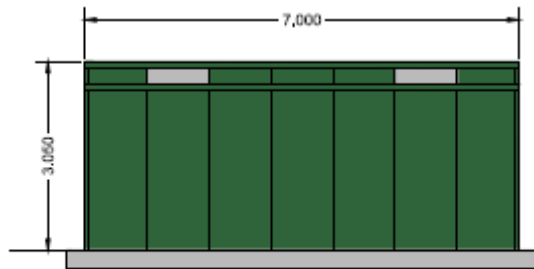
FRONT ELEVATION



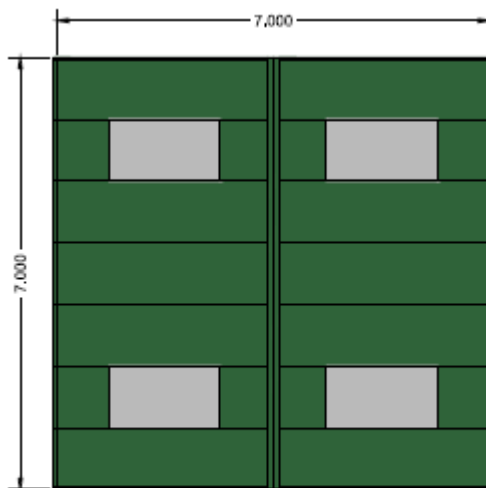
REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



PLAN



PLANNING HISTORY

2004/01609/FUL, Address: 16, Heol Dewi Sant, Barry, Proposal: Single storey rear extension, Decision: Approved

CONSULTATIONS

Barry Town Council was consulted on the 19th December 2018. Comments were received in the 9th January 2019 which stated “No objection subject to the proposed garage being used for domestic purposes and not commercial/business use in perpetuity.”

Local councillors were consulted on the 19th December 2018. No comments have been received to date.

REPRESENTATIONS

The neighbouring properties were consulted on 19 December 2018. No comments have been received to date.

A site notice was also displayed on 7th January 2019.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD5 - Development within Settlement Boundaries

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

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 10, 2018) (PPW) is of relevance to the determination of this application.

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

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

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 12 – Design (2016)

Supplementary Planning Guidance:

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

- Parking Standards (Interactive Parking Standards Zones Map)
- Residential and Householder Development (2018)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues considered in the assessment of this application relate to the potential impact upon the existing character of the property, the surrounding street scene and the possible impact upon the amenity of neighbouring properties.

Design and Visual Impacts

The proposed development would be larger than the existing garage in terms of width and as a result would have a larger floor area. However, although the proposal would increase the scale of the detached garage the proposed development would have a low height and shallow pitched roof which reduces the massing of the proposal. Furthermore, the proposal will be set away from the existing property by approximately 9.8m, when balanced with the modest height of the proposal it is considered the proposed development would be subordinate in nature to the residential property.

The metallic green panelling finish of the proposed garage is more reminiscent of a commercial style structure, however, its location to the rear of the property and its set back distance from the street of approximately 23m is considered sufficient to ensure the proposal does not detract from the residential character of the area.

Therefore, based upon the above assessment it is considered the proposal complies with LDP Policy MD2 - Design of New Development and the Council's Residential and Householder Development SPG.

Impact on the Neighbouring Properties

It's not considered that the proposed development would have a detrimental impact upon the outlook of opposing neighbours to the front and rear of the property. This is due to the modest height of the proposal, its location being well screened by existing boundary treatments and the proposal would be more than 21m away from the nearest residential properties in these directions.

In regards to the adjoining neighbour at no.18 Heol Dewi Sant, the proposed development would likely be highly visible from the neighbour's perspective to the rear of the property. However, the proposal would be set away from the neighbouring boundary by approximately 0.9m which, along with the modest height, is considered sufficient to ensure the proposal does not have an overbearing impact upon the neighbour. In terms of the potential for overshadowing the existing boundary treatments cause an element of shadowing on the neighbour's garden and it is considered the modest height of the proposal and shallow pitch would not significantly exacerbate the current situation.

The proposed development would likely be highly visible from the adjacent neighbouring property at no.14 Heol Dewi Sant perspective from the rear of the property. However, the proposed garage would be set away from the neighbouring boundary by approximately 0.9m which is considered to improve upon the existing garage which is built along the neighbour's boundary. Therefore, it is considered the proposed development would not have an overbearing impact upon the neighbouring property by virtue of its set off distance from the boundary and the modest height of the proposal. In terms of the potential impact from overshadowing, the proposal would cause less shadowing on the neighbour's amenity space than the existing structure by virtue of its shallow pitch and been offset from the neighbouring boundary by approximately 0.9m. Consequently the proposal is considered to not cause overshadowing.

Accordingly based upon the above assessment it is considered the proposal complies with LDP Policy MD2 - Design of New Development and the Council's Residential and Householder Development SPG.

Amenity Space Provision

The proposed development would result in the loss of existing amenity space. However, the proposal does include works to revert areas of existing hard standing to the rear and front of the property back to top soil and turf which would add to the overall amenity space serving the property. Overall, approximately 78sq.m of private rear amenity space would serve the property post development and 32sq.m front amenity space would also be provided. Consequently the total remaining amenity space provision of approximately 110sq.m exceeds the minimum requirement of amenity provision set out under the council's Residential and Householder Development SPG for a 2 to 3 bedroom dwelling.

Parking Provision

The proposed development would not alter the existing parking provision which serve the property. Therefore it is considered to be in accordance with the Council's Parking Standards SPG.

REASON FOR RECOMMENDATION

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

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

Having regard to Policy MD1 - Location of New Development, Policy MD2 - Design of New Development and Policy MD5 - Development Within Settlement Boundaries, of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council's Supplementary Planning Guidance on Residential and Householder Development SPG, and Parking Guidelines, Planning Policy Wales 10th Edition and Technical Advice Note 12- Design, the development is considered acceptable in terms of its scale, design, impact on neighbours, parking and impact on amenity space provision.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing No. 2018-HDS-NG 01, 2018-HDS-NG 02 and 2018-HDS-NG 04

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Appendix Q

Photos of Summerhouse at Cwm Barry Way (pre-cladding)





Appendix R

Mr. Andrew Thomas 8, Cwm Barry Way, Barry, Vale of Glamorgan, CF62 6LB
Mr. Andrew Thomas 8, Cwm Barry Way, Barry, Vale of Glamorgan, CF62 6LB

8, Cwm Barry Way, Barry

To build a summer house at the end of our garden with a sloped flat roof, patio door access with no window present and cladding to be corrugated galvanised sheet metal

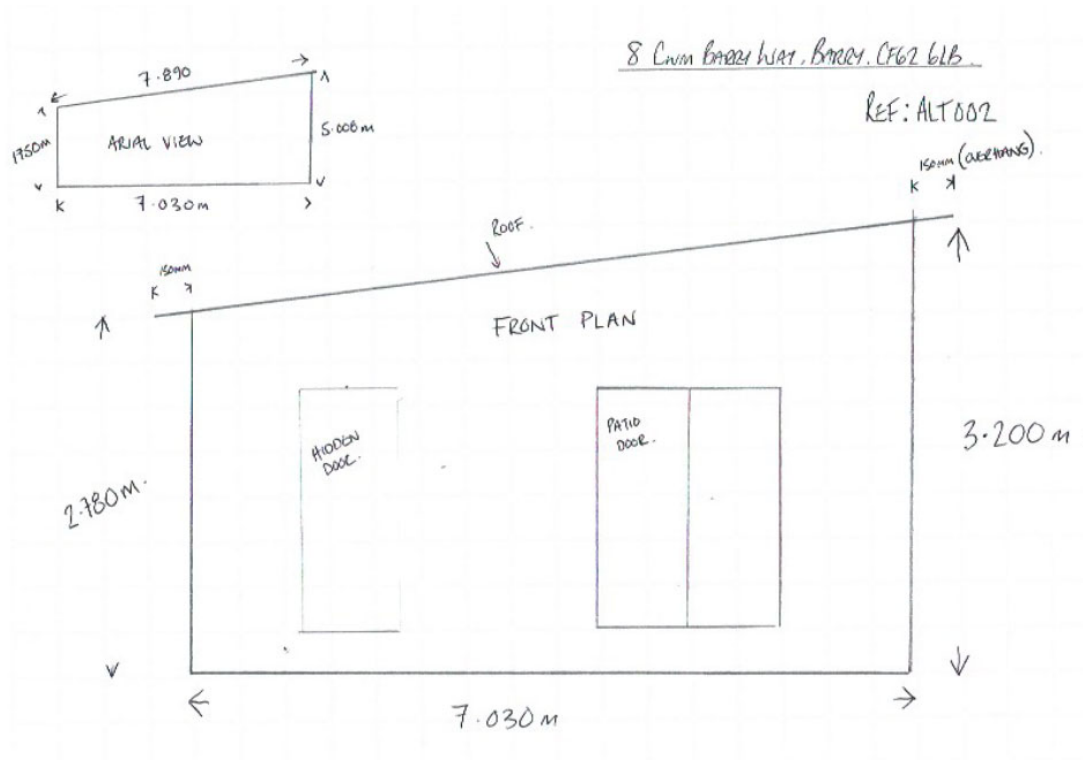
SITE AND CONTEXT

The application site relates to 8 Cwm Barry Way, a two storey semi-detached property located within the Barry Settlement Boundary. The surrounding housing type is of a similar scale to the applicants dwelling and external material finish varies within the street scene. The application site is located outside of any Conservation Area.

DESCRIPTION OF DEVELOPMENT

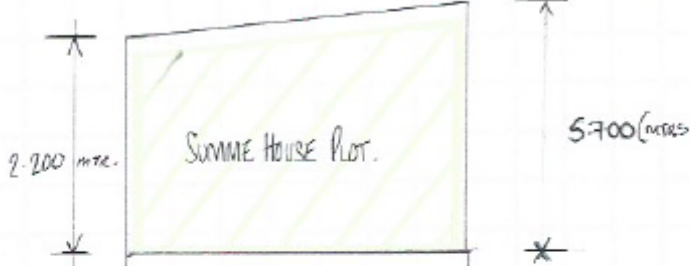
This retrospective planning application seeks permission for a summerhouse at the rear of the property. The summerhouse measures approximately 7 metres in width and approximately 5 metres in depth. The summerhouse would have an eaves height of approximately 2.7 metres and a ridge height of approximately 3.2 metres. The summerhouse would be finished with corrugated galvanised sheeting and grey UPVC doors.

The proposals can be viewed below:



B. C. W. M. BARRY WAT. BARRY. CP62 GLB
AERIAL VIEW REF: AL1004.

7.700 mtrs



GRASS

7.500 mtrs

DECKING

3.168 mtrs

PATIO AREA

2.920 mtrs

KEY / SCALE
1cm = 1mtrs.

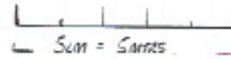
SIDE ACCESS

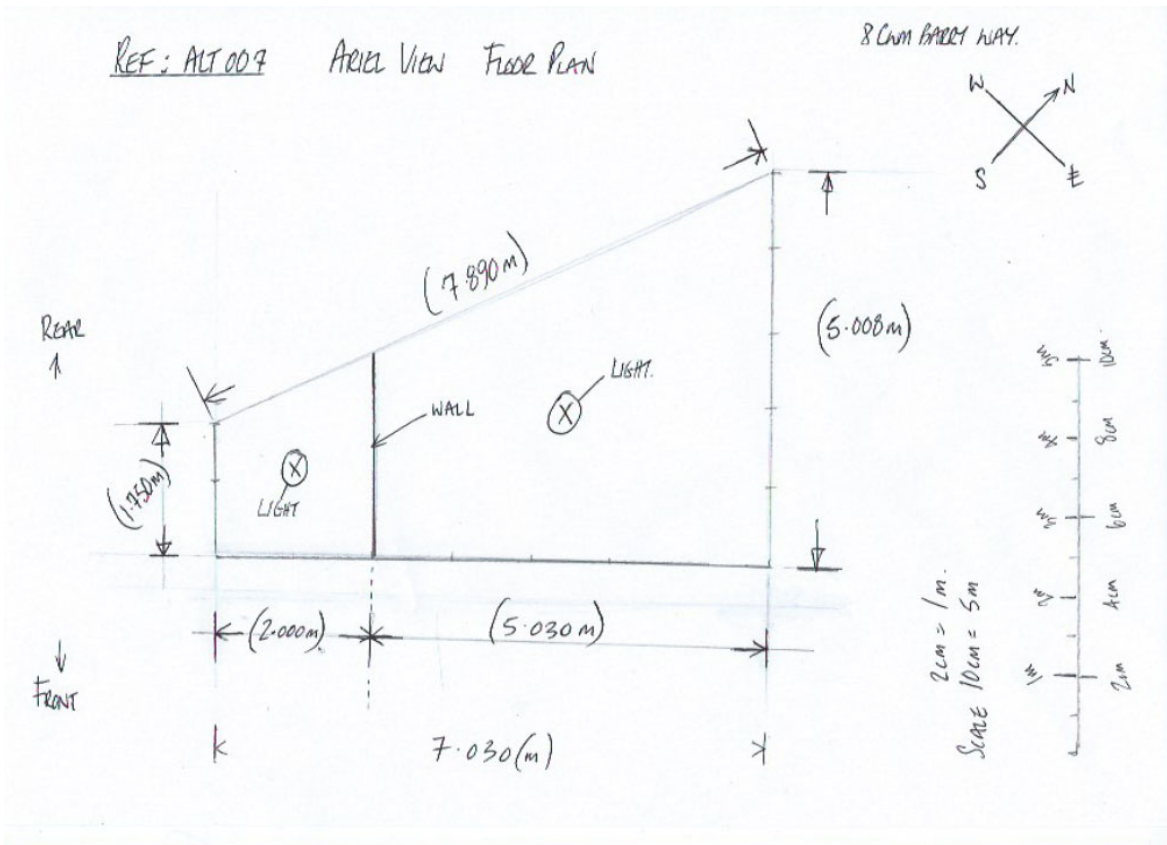
1.777

HOUSE

(5.428 m)

4.326





(Site Visit photograph)

PLANNING HISTORY

CONSULTATIONS

Barry Town Council was consulted on 13/02/2017 and their response states:

“Subject to the case officer for the application being satisfied that the external materials for a summer house are appropriate at this location the Town Council has no objection”

Local Councillors were consulted on 13/02/2017. No representations have been received to date.

REPRESENTATIONS

The neighbouring properties were consulted on 16 February 2017. We have received comments from the occupiers of number 32, Hawthorn Road.

A summary of their comments can be viewed below:

- Given the scale and nature of this specific development I wish to object to the application.
- The garden structure is contrary to the Councils Supplementary Planning Guidance on Amenity Standards
- The development is significantly larger than other buildings in the area.
- The summerhouse has the size and height of a rear single storey extension.
- The summerhouse has an unacceptable impact to the overall character of the area.
- Guidance against the overdevelopment of residential areas characterised by high standards of privacy and spaciousness is also referred to in Policy 11 of Vale of Glamorgan Unitary Development Plan 1996-2011.
- The summerhouse exceeds the height of the 1.8 metre fence separating the boundaries by 1.5 metres
- There has been no use of screening to limit the visual amenity of surrounding properties
- The use of corrugated steel cladding would be completely out of context with materials used in other visible outbuildings.

REPORT

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 18th April 2005, and within which the following policies are of relevance:

Strategic Policies:

POLICIES 1 & 2 - THE ENVIRONMENT

Policy:

POLICY ENV27 – DESIGN OF NEW DEVELOPMENTS

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, both chapters 2 and 4 of Planning Policy Wales (Edition 9, 2016) provide the following advice on the weight that should be given to policies contained with the adopted development plan:

'2.14.4 It is for the decision-maker, in the first instance, to determine through monitoring and review of the development plan whether policies in an adopted [Development Plan] are outdated for the purposes of determining a planning application. Where this is the case, local planning authorities should give the plan decreasing weight in favour of other material considerations such as national planning policy, including the presumption in favour of sustainable development (see section 4.2).'

'4.2.4 A plan-led approach is the most effective way to secure sustainable development through the planning system and it is important that plans are adopted and kept regularly under review (see Chapter 2). Legislation secures a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise (see 3.1.2). Where:

- *there is no adopted development plan or*
- *relevant development plan policies are considered outdated or superseded or*
- *where there are no relevant policies*

there is a presumption in favour of proposals in accordance with the key principles (see 4.3) and key policy objectives (see 4.4) of sustainable development in the planning system. In doing so, proposals should seek to maximise the contribution to meeting the local well-being objectives.'

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 9, 2016) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

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

- Technical Advice Note 12 – Design (2016)

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

Well Being of Future Generations (Wales) Act 2015

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

Issues

The main issue to consider in the determination of this application are the effects of the development on the character of the existing dwelling and the wider street scene. Any impacts upon neighbouring amenities will also be assessed.

Visual Impact

The summerhouse is located at the rear of the property at the end of the applicant's garden. The summer house is not visible from the street and therefore has no appreciable impacts upon the character of the wider street scene.

Although the summer house has not been fully completed, the applicant has proposed corrugated galvanized metal sheeting along with grey UPVC door. It is considered that the use of these materials is acceptable as the summer house would not be visible from any public vantage point within the street. Therefore, the use of these particular materials would not have any unacceptable impacts on the character of the dwelling or its siting within the wider street scene.

Consequently, the development complies with Policy ENV27 Design of New Developments and is therefore acceptable.

Impact to neighbouring amenities

The summer house is located on the boundary with numbers 6 and 10 Cwm Barry Way. However, the summer house is considered to be modest in scale, therefore it is not considered that the summer house would have any unacceptable impacts upon these neighbours in terms of being overbearing, loss of light or shading.

The summer house is located approximately 1 metre away from the rear boundary with number 32 and 30 Hawthorn Road. However, given that the summer house has a lean to roof, the height of the structure would not exceed the height of the boundary wall significantly. Having assessed the proposals on site, particularly from the rear garden of number 32 Hawthorn Road it is not considered the summer house has any unacceptable impacts upon the amenity of this neighbour in terms of being overbearing loss of light or shading.

The occupiers of number 32, Hawthorn Road have also raised concerns on the visual impacts of the development. It is considered the summer house does alter the outlook from the gardens of neighbouring properties along Cwm Barry Way and Hawthorn Road to a certain degree. However, the summer house is considered to be acceptable in terms of its siting, scale and design and outbuildings of this nature are a common feature within rear gardens. Therefore, it is not considered that the summer house has any unacceptable overbearing impacts upon the character of the existing dwelling or that it causes any impacts that are uncommon in a residential setting. With regard to Policy HOUS 11 it is considered that this policy is not applicable in this location, as Cwm Barry Way and Hawthorn Road are not considered to benefit from unusually high standards of privacy and spaciousness.

Overall, it is considered that the development has no unacceptable impacts upon the amenity on neighbouring properties and is therefore acceptable.

Amenity Space

Although the amount of garden space has been reduced as a result of the development, it is considered that sufficient garden space remains to serve the practical need of the occupiers.

REASON FOR RECOMMENDATION

The decision to recommend 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 Policy ENV27 (Design of New Developments) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's Supplementary Planning Guidance on Amenity Standards, it is considered that the proposal is of a suitable design and scale to preserve the character of the property and the surrounding area and does not adversely impact on the amenity and privacy of neighbouring properties and is therefore considered to be acceptable.

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

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall be carried out in accordance with the following approved plans and documents: ALTOO2 Front Plan, ALT007 Floor Plan, ALT004 Ariel View Plan, ALT006 Side View and ALT005 Side View as received on 26th January 2017.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.