

PLANNING COMMITTEE

Decision Notice – Remote Meeting, 25th May, 2023.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor N.C. Thomas (Chair); Councillor S.D. Perkes (Vice-Chair); Councillors G. Bruce, I. Buckley, C.A. Cave, C.E.A. Champion, C.M. Cowpe, P. Drake, A.M. Ernest, W. Gilligan, N.P. Hodges, Dr. I.J. Johnson, H.M. Payne, I.A.N. Perry, C. Stallard, E. Williams and M.R. Wilson.

Also present: Councillors C.P. Franks and W.A. Hennessy.

AGENDA ITEM 2. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 27th April, 2023 be approved as a correct record.

AGENDA ITEM 3. DECLARATIONS OF INTEREST –

No declarations of interest were received.

AGENDA ITEM 4. PUBLIC RIGHTS OF WAY SUB-COMMITTEE (DP) –

RESOLVED – T H A T the Public Rights of Way Sub-Committee comprising five Members as set out in paragraph 2.2 of the report be re-appointed.

Reason for decision

To confirm the appointment of the Public Rights of Way Sub-Committee for 2023/24.

AGENDA ITEM 5. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED –

(1) T H A T the passed building regulation applications, as listed in Section A of the report, be noted.

(2) T H A T the rejected building applications, as listed in Section B of the report, be noted.

(3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section C of the report, be noted.

AGENDA ITEM 6. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED – T H A T the applications as outlined within the report, on pages 9 through 19, under the above delegated powers be noted.

AGENDA ITEM 7. APPEALS (HSD) –

RESOLVED –

(1) T H A T the Appeal received following the refusal of the Council to grant planning permission, as detailed in Section A of the report, be noted.

(2) T H A T the Enforcement Appeal, as detailed in Section B of the report, be noted.

(3) T H A T it be noted that no Planning Appeal Decisions had been received at the time of the meeting taking place.

(4) T H A T it be noted that no Enforcement Appeal Decisions had been received at the time of the meeting taking place.

(5) T H A T the statistics relating to appeals for the period April 2023 – March 2024, as detailed in Section E of the report, be noted.

AGENDA ITEM 8. TREES (HSD) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report on pages 22 and 23, as determined by the Head of Sustainable Development under delegated powers, be noted.

AGENDA ITEM 9. PLANNING APPLICATIONS (HSD) –

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following application be determined as indicated and any other necessary action be taken.

2022/00602/RES
Land at Heol y Pentir, Rhoose

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

AGENDA ITEM 10 MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chair had decided was urgent for the reason given beneath the minute heading be considered.

AGENDA ITEM 10(i) REPORT OF THE APPOINTED EXTERNAL CONSULTANT RE APPLICATION 2019/00871/OUT LAND AT MODEL FARM – **(Matter which the Chair has decided is urgent by reason of the need to set out the Council’s putative reasons for refusal of the Application)**

RESOLVED –

(1) T H A T further to discussion of the matter at Planning Committee meetings on 1st March, 2023 and 18th May, 2023 and the content of this report, the following putative reasons for refusal be approved:

- (i) In the absence of an up to date preliminary ecological appraisal, the proposed development fails to appraise the biodiversity interests at this site. Therefore, the proposed development fails to incorporate, conserve or enhance biodiversity interests, as those biodiversity interests have not been quantified in the first instance. As a result, the development is contrary to the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of new development) Criterion 10, MD9 (Promoting Biodiversity) and MG19 (Sites and Species of European importance) of the Vale of Glamorgan Local Development Plan 2011 – 2026, guidance within the Biodiversity and Development SPG; National guidance contained within Planning Policy Wales (Edition 11, 2021), Policy 9 of the Future Wales National Plan 2040 and the Sustainable Development Principle No.2 of the Well-being of Future Generations (Wales) Act 2015;

AND

- (ii) The proposed development by virtue of its layout, scale and massing would have a harmful impact on the setting of historic assets. The benefits of the scheme are not considered to outweigh the identified harm to the designated heritage assets. The proposed development is therefore contrary to Policies SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Vale of Glamorgan Local Development Plan 2011 – 2026, guidance within the Porthkerry Conservation Area Appraisal and Management Plan SPG, National

guidance contained within Planning Policy Wales (Edition 11, 2021) and Technical advice note (TAN) 24 (the historic environment).

(2) T H A T the Head of Legal and Democratic Services / Operational Manager Legal Services be authorised to appoint external consultants to conduct the appeal on behalf of the Council.

Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting.

(2) To provide for the appointment of external consultants to prepare the Council's defence to the non-determination appeal.