

Version 5

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

APPROVAL OF RESERVED MATTERS

Agent:
LRM Planning
22, Cathedral Road,
Cardiff.
CF11 9LJ

Applicant:
Edenstone Homes
1st Floor,
Building 102,
Wales One Business Park,
Magor.
NP26 3DG

Approval of all matters reserved including Appearance, Landscaping, Layout and Scale and the subsequent discharge of planning conditions 2 (Reserved Matters), 6 (Drainage), 10 (Tree Protection), 12 (Slab levels), 16 (Noise Assessment) attached to the Outline Permission (Ref: 2015/00392/OUT) at Land off Cardiff Road/Cross Common Road, Dinas Powys

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS APPROVAL** in respect of the detail plans registered by the Council on 17 July 2017 and submitted for the purposes of conditions imposed on the grant of planning permission (2017/00746/5/CD) on the 14/04/2020, subject to compliance with the outstanding conditions imposed and the conditions specified hereunder:

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

Planning Layout – Full Colour (1628 100 rev.E)
Planning Layout – No Colour (1628 100 rev.E)
Red Line Plan (1628 101)
Storey Heights Layout (1628 102 rev.E)
Materials Layout (1628 103 rev.E)
Enclosure Layout (1628 104 rev.F)
Affordable Layout (1628 105 rev.E)
Street Scenes – Sheet 1 (1628 106 rev.B)
Refuse & Cycle Strategy (1628 107 rev.E)
External Works Layout - Sheet 1 (1628 108-1 rev.E)
External Works Layout - Sheet 2 (1628 108-2 rev.E)
Hard Landscaping Layout (1628 109 rev.E)
Single Garage (1628 110)
Double Garage (1628 111)

Twin Garage (1628 112)
Sections (1628 113 rev.A)
Triple Timber Car Port (1628 114)
Street Scenes – Sheet 2 (1628 115 rev.A)
Bamford – AS (1628 150 rev.B)
Bamford – AS (1628 151 rev.B)
Bamford – OPP (1628 151-1 rev.A)
Bonvilston – AS (1628 152 rev.B)
Bonvilston – AS (1628 153 rev.B)
Bonvilston – OPP (1628 153-1 rev.A)
Broughton – OPP (1628 155 rev.B)
Broughton (1628 155-1)
Broughton – AS (1628 156 rev.B)
Broughton – OPP (1628 156-1 rev.A)
Carcroft – AS (1628 157 rev.B)
Carcroft – AS (1628 158 rev.B)
Carcroft – OPP (1628 158-1 rev.A)
Farnham – AS (1628 159 rev.B)
Farnham – OPP (1628 159-1 rev.A)
Farnham – AS (1628 160 rev.B)
Farnham – OPP (1628 160-1 rev.A)
Tenbury – AS (1628 161 rev.B)
Tenbury – OPP (1628 161-1 rev.A)
Ogmore (1628 162 rev.A)
Ogmore (1628 162-1)
Ogmore – AS (1628 163 rev.B)
Ogmore – OPP (1628 163-1 rev.A)
Wye – AS (1628 164 rev.B)
Wye – OPP (1628 164-1 rev.B)
Idris (1628 165 rev.B)
1 Bed Apartment - Floor Plans – AS (1628 166 rev.B)
1 Bed Apartment – Elevations – AS (1628 167 rev.B)
Burlington – AS (1628 168 rev. A)

Engineering drawings

Engineering Layout – 1700-001 Rev F
Refuse Vehicle Tracking – 1700-102 Rev E
Highway Construction Details 1 of 5 Rev A - 1700-105-1
Highway Construction Details 2 of 5 Rev A - 1700-105-2
Highway Construction Details 3 of 5 Rev A - 1700-105-3
Highway Construction Details 4 of 5 Rev A - 1700-105-4
Highway Construction Details 5 of 5 - 1700-105-5
Section 38 Plan - 1700-S38
As Built Road – Survey (P2635)
Survey Sheet 1 (2504-1)
Survey Sheet 2 (2504-2)
Survey Sheet 3 (2504-3)

Design and Access Statement by LRM Planning
Planning Statement by LRM Planning

Landscape Proposals and Tree Constraints Sheet 1 of 2 (ref. 994/PA/01F)
by MD Landscape Architects
Landscape Proposals and Tree Constraints Sheet 2 of 2 (ref. 994/PA/02F)
by MD Landscape Architects

Arboricultural Impact Assessment by Treescene dated 15th May 2017
Arboricultural Impact Assessment Plans x4
Tree Protection Plans x4
Tree Retention/Removal Plans x4

Preliminary Ecological Appraisal (February 2015) by Celtic Ecology
(Bat Tree Assessment and Survey (July 2017) by Terraqua Ecology)
Ecological Mitigation Strategy January 2016 (Updated October 2017) Issue
2 by Celtic Ecology
Ecological Design Strategy August 2017 Issue 2 by Celtic Ecology

Drainage Statement by Phoenix (Report Ref: 10157)

Environmental Noise Survey by Hunter Acoustics (Report Ref:
17/4434/ENS_Rev2)
Letter regarding garden noise dated 13th November 2017 by Hunter
Acoustics

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.

2. Prior to site clearance and where approved, the 1.8m high fence shall be erected around the perimeter of the site in accordance with the approved Planning Layout and the other means of enclosure hereby approved shall be erected on site on the completion of the relevant plot.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

3. Notwithstanding the submitted details, a schedule of materials to be used in the construction of the development including external finishes approved (including samples) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to their use within the development.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

2017/00746/2/CD

Details Approved 06/06/2018 - Vale of Glamorgan Council

- Kassandra Multi facing brick
- Parex Athens Sand roughcast render
- Marley Eternit Ashmore Smooth Grey roof tile
- Bradstone Keinton stone

In conjunction with the materials layout plan 103 Rev F

4. Prior to the commencement of development or any site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings. The CTMP shall include a pre development highway condition survey of the agreed length of highway and the details and timings of the submission of a post construction development highway condition survey. The development shall be carried out in accordance with the approved Construction Traffic Management Plan

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

2017/00746/1/CD

Details Approved 31/05/2018 - Vale of Glamorgan Council

Amended Construction Method Statement Rev 1 (including Appendix A, B and C) received on 24 May 2018.

Existing Road Condition Survey received on 23 April 2018 and Plan Identifying location of photos received on 29 May 2018.

5. The development shall be carried out in accordance with the recommendations of the submitted Ecological Mitigation Strategy (Celtic Ecology dated January 2016 and updated October 2017)

Reason:

To safeguard protected species, in accordance with Policies MD2 and MD9 of the Local Development Plan

6. Notwithstanding the submitted plans, no development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) A statement setting out the design objectives and how these will be delivered;
- ii) earthworks showing existing and proposed finished levels or contours;
- iii) means of enclosure and retaining structures;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.), and
- vi) water features.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant)].

Reason:

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

2017/00746/3/CD

Details Approved 15/06/2018 - Vale of Glamorgan Council

- **Hard and soft landscaping design objectives**
- **1628 109 E Hard Landscaping Layout**
- **1628 108-1 External Works**
- **1628 108-2 External Works**
- **PA01H Tree Constraints and Landscape Proposals**
- **PA02H Landscape Proposals and Tree Constraints**

2017/00746/5/CD

Details Approved 14/04/2020 - Vale of Glamorgan Council

- **994/PA/02P Landscape Proposals and Tree Constraints 2 Planning Sheet 1 of 2**
- **994/PA/01S Tree Constraints and Landscape Proposals Planning Sheet 1 of 2**

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. Prior to occupation a post development noise assessment shall be undertaken and submitted for approval to the Local Planning Authority. The post development noise assessment shall take into account all of the dwellings that require mitigation as identified within the Environmental Noise Survey 4434/ENS1_Rev1 prepared by Hunter Acoustics. Should the post development noise assessment identify noise levels that exceed 35dB in the daytime or 30dB at night, additional mitigation measures and details shall be submitted for approval.

Dwellings identified as not achieving the required standard shall not be occupied until such mitigation has been undertaken.

Reason:

In order to ensure that future occupants of the residential development are not affected by unacceptable levels of road noise to meet the noise impacts as set out in TAN 11 to ensure compliance with policies MD2 and MD7 of the Local Development Plan.

9. Foul water only shall be allowed to discharge to the public sewerage system between manhole reference number ST15704505 and ST15704403

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policy / Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

10. Prior to their installation on site, a detailed lighting plan for the development hereby approved, including the position, height and type of lighting columns, shall be submitted to and approved in writing by the local authority and the approved scheme of lighting shall be implemented and completed on site prior to the first beneficial occupation of the relevant dwellings/flats.

Reason:

To safeguard protected species, in accordance with Policies MD2 and MD9 of the Local Development Plan.

2017/00746/4/CD

Details Approved 09/08/2018 - Vale of Glamorgan Council

CCR/CC/01 -Street Lighting Layout Received on 26 April 2018

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, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP7– Transportation, MG1 – Housing Supply In The Vale Of Glamorgan, MG2 – Housing Allocations, Mg4 – Affordable Housing, MG18 – Green Wedges, MG19 – Sites And Species Of European Importance, MD1 - Location Of New Development, MD2 - Design Of New Development, MD3 - Provision For Open Space, MD4 - Community Infrastructure And Planning Obligations, MD5 - Development Within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection and MD9 - Promoting Biodiversity, it is considered that the reserved matters application is acceptable in terms of the appearance, landscaping, layout and scale of the proposed development, its , visual/landscape impact, density, sustainability, access and traffic issues, noise, drainage and flood risk, impact on residential amenity, public safety, ecology and archaeology and provision of affordable housing.

NOTE:

1. The applicants are reminded of the requirement for compliance in full with the conditions imposed upon the outline planning permission.
2. The proposed development site is crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 9172652.
3. The Traffic Regulation Order based upon the scheme of double yellow line shown on the Planning Layout (Drawing ref 100 Rev. E) along Cross Comm Road, at the junction with the site and Cardiff Road shall be submitted to the Local Highway Authority.

Legal Agreement.

4. The applicant/owner shall be advised that the legal agreement in place secures the long term management of the land within the application site and mitigation land outside the application site for dormouse.

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: 29 January 2018

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.

