



# **VALE OF GLAMORGAN COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended)**

**Section 78 Appeal**

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## **WRITTEN STATEMENT**

**Appeal by Mrs Pam Crosby,  
Site at Plot adjacent 2, River Walk, Llantwit Major**

TOWN AND COUNTRY PLANNING (REFERRALS AND APPEALS) (WRITTEN REPRESENTATIONS  
PROCEDURES) REGULATIONS 2003

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**PLANNING INSPECTORATE REF. NO: APP/Z6950/A/08/2081005**

**VALE OF GLAMORGAN REF. NO: 2007/01700/FUL**

**Justina M. Walsh BSc (Hons) DipTP MRTPI  
Principal Planning Officer (Enforcement and Appeals)**

**Vale of Glamorgan Council,  
Dock Office,  
Barry Docks,  
Barry.  
CF63 4RT**

## **1. INTRODUCTION**

- 1.1 This appeal relates to the decision of the Vale of Glamorgan Council to refuse planning permission for 'New 3 Bedroom dwelling' at Plot adjacent 2, River Walk, Llantwit Major.
- 1.2 The application was submitted on 6<sup>th</sup> December, 2007, and subsequently REFUSED planning permission on 23 January 2008 for the following reason:
1. The proposal would, by reason of its siting and form, represent an insensitive and inappropriate form of development, which would adversely affect the amenity, character and appearance of the Llantwit Major Conservation Area, and the setting of the Grade II Listed Swimbridge Farmhouse, contrary to Policies ENV17 - Protection of Built and Historic Environment, ENV20 - Development in Conservation Areas, HOUS8 - Residential Development Criteria, HOUS2 - Settlements, and ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's approved Supplementary Planning Guidance on 'Amenity Standards'.
  2. The site lies within Zone C2 as identified by the Environment Agency's Development Advice Maps, wherein such highly vulnerable development is not permitted unless it can be satisfactorily demonstrated that the consequences of flooding can be acceptably managed, with no such evidence having been submitted. It is therefore contrary to Policies HOUS8 - Residential Development Criteria, HOUS2 - Settlements and ENV7 - Water Resources of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as advice in Technical Advice Note 15 - Development and Flood Risk.

## **2. THE COUNCIL'S CASE**

- 2.1 In view of the grounds of appeal and the comments made in the Officer's delegated report, it is not considered necessary to make any further comments on this appeal. A copy of the officer's report has already been provided and attached to the appeal questionnaire.
- 2.2 I have, however, attached in Appendix 1 an aerial photograph of the appeal site and photographs of the site and its surroundings are attached in Appendix 2.

### **3. LIST OF SUGGESTED CONDITIONS**

3.1 Should the appointed Inspector be minded to allow this appeal, the Vale of Glamorgan Council considers that the following conditions should be imposed:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way as set out in Parts 1 (Classes A, B and C) of Schedule 2 of this Order, without the prior permission of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the development in view of its unique design and the confines of the site, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage as hereby extended without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the development in view of its unique design and the confines of the site, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

5. Prior to the commencement of the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

6. 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 five 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, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

7. Full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to the occupation of the dwelling hereby approved.

Reason:

To ensure the site is adequately drained, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.