# Version 2

# T H E V A L E O F G L A M O R G A N C O U N C I L

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012

## F U L L P L A N N I N G P E R M I S S I O N

|  |  |
| --- | --- |
| Agent:  Mr. Peter Jenkins,  Peter Jenkins Architects,  Nutgrove,  City,  Cowbridge,  Vale of Glamorgan.  CF71 7RW | Applicant:  Mr. Darren Williams,  26, Y Dderwen,  Llangynwyd,  Maesteg,  Mid Glamorgan.  CF34 9HX |

**New Dwelling at Land adjacent to Plymouth House, West Street, Llantwit Major**

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 28 October 2014 subject to the following condition(s):

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

Plan number 744/PL01 received on the 28 October, 2014;

Plans numbered 744/PL02, 744/PL03, 744/PL05 and 744/PL06 received on the 25 November 2014;

Plans numbered 744/PL13, 744/PL17 Rev. B, 744/PL15, 744/PL16, received on 22nd August, 2016;

Plans Referenced 2014/0124/2/NMA - A00 Motorised Brise Soleil, received on 23 August 2023.

Plan number 744/WD07 Rev. B and the Drainage Declaration received on 12th September, 2016;

Hard Landscaping details and Planting Method Statement received on 22nd August, 2016; and

Method statement for the Stone Conservation Works received on 22nd August 2016.

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.

**2014/01244/2/NMA**

**Condition 2 amended 01/09/2023**

**2014/01244/1/NMA**

**Condition 2 amended 19/6/17**

3. Notwithstanding the submitted plans, the rear elevation of the garage (facing towards West Street) shall be finished in stonework, which shall be constructed in materials as approved under the requirements of conditions of this planning permission.

Reason:

In the interests of visual amenity and to ensure compliance with Policies ENV 20, ENV 27 and HOUS 8 of the UDP.

4. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.

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 ENV27 of the Unitary Development Plan.

5. Full details of a scheme for the drainage of the site (to include a written declaration detailing the future responsibility for the adoption and maintenance of the system) shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development, and the approved scheme shall be fully implemented in accordance with the approved details and so maintained at all times thereafter. Within two months of the first beneficial occupation of the dwelling, as-built drawings of the drainage system shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the adequate drainage of the site and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

6. No part of the development hereby approved shall be brought into beneficial use until such time as the parking area, including the associated access and turning area, have been laid out in full accordance with the details shown on Drawing No. 744/PL02 and in accordance with samples of the proposed paving materials, which shall have first been submitted to and approved in writing by the Local Planning Authority and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

In the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 and TRAN 10 of the Unitary Development Plan.

7. Prior to their use, installation, or construction on site, further details of all windows, doors, glazed screens (including energy wall), gates, eaves and canopy to scales of 1:10, 1:20 (including cross sections) as appropriate, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

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

Reason:

In the interests of visual amenity, neighbouring amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

9. Notwithstanding the details to be submitted and approved under Conditions 8 and 11, full details of a scheme for native hedge planting adjacent to the proposed stone retaining walling, to include the part eastern boundary of the site (adjacent to Plymouth House West) shall be submitted to and agreed in writing by the Local Planning Authority and such approved hedge planting shall be implemented on site as set out in Condition 12 of this consent and thereafter retained at all times as approved.

Reason:

In the interests of visual amenity, neighbouring amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

10. Prior to the commencement of development, details of the finished levels of the site and dwelling in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

To ensure that << >> are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

11. 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.

12. All planting, seeding, turfing and hedge planting comprised in the approved details 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.

13. Prior to their use in the construction of the dwelling hereby approved, details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

14. Prior to the construction of the new stone wall, details, including a sample panel of the proposed stonework (for the boundary wall and dwelling/garage) and detail of the mortar type and pointing, shall be submitted or made available on site for inspection and be approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

15. A method statement for the repair and repointing of any of the stone boundary walls shall be submitted to and approved in writing by the Local Planning Authority and the stone walls shall be fully repaired/repointed as set out in the agreed method statement prior to the first beneficial occupation of the dwelling.

Reason:

In the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to ensure compliance with Policies ENV20 and ENV27 of the Unitary Development Plan.

16. The land hereby permitted to be used as residential curtilage in connection with the dwelling hereby approved shall be limited to the area shown edged in red on the attached plan.

Reason:

For the avoidance of doubt and in order to effectively control the use of the land as residential curtilage in the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to retain the open setting of the adjacent Listed Building and to ensure compliance with Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

17. The land edged in green on the attached plan shall remain undeveloped at all times and shall not be used as an extended residential curtilage for the approved dwelling. The land edged in green shall be maintained in strict accordance with a management plan which shall set out a maintenance regime for the land in perpetuity, which shall be submitted to and approved in writing by the Local Planning Authority and implemented on the first beneficial occupation of the dwelling.

Reason:

In order to effectively control the use of the land undeveloped part of the site in the interests of visual amenity and the character and appearance of this part of the Llantwit Major Conservation Area and to retain the open setting of the adjacent Listed Building and to ensure compliance with Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected or placed within the curtilage of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Orders revoking or re-enacting those Orders), no gates, fences, walls or other means of enclosure, other than those approved under the terms of conditions attached to this permission, shall be erected, constructed or placed on the application site (including the area of land to the south of the curtilage approved by condition 15 of this planning permission) without the prior written consent of the Local Planning Authority.

Reason:

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

Reason for Granting Planning Permission

Having regard to Policies ENV17 – Protection of Built and Historic Environment, ENV20 – Development in Conservation Areas, ENV27 – Design of New Developments, HOUS8 – Residential Development Criteria and TRAN10 – Parking, the proposed dwelling in terms of its siting, scale, massing, design and materials, parking and amenity considerations is considered to constitute an appropriate form of development that would have no unacceptable effects on the amenities of adjoining residential occupiers and would not adversely impact on the street scene, and would retain the essential open setting of the southern part of the application site, thereby preserving the character of this part of the Llantwit Major Conservation Area and the setting of adjacent Listed Building. It would also be acceptable in terms of highway safety and amenity space provision.

**NOTE:**

**1. Please note that this site lies within a Conservation Area. Under the Town and Country Planning Act 1990 a person who wishes to carry out work to trees must give the Local Planning Authority six weeks’ notice in writing of their intentions. Work to the trees must not be carried out during this period without permission, if you do you could be liable to prosecution. You may also be required to plant a replacement tree. There are exceptions to this rule and it would be advisable to check with the Local Planning Authority before undertaking works to trees within the Conservation Area.**

**2. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**

**3. The applicant's/developer's attention is drawn to the Council's "Advisory Notes for Demolition and Construction Sites", a copy of which is attached to this planning permission.**

**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: 22 December 2014

Ian Robinson



Head of Sustainable Development

# IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES

**ATTACHED TO THIS FORM**

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 - call 01446 704842 or visit [https://www.valeofglamorgan.gov.uk/en/living/planning\_and\_building\_control/building\_control/Making-an-Application.aspx](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.valeofglamorgan.gov.uk%2Fen%2Fliving%2Fplanning_and_building_control%2Fbuilding_control%2FMaking-an-Application.aspx&data=04%7C01%7CFLambert%40valeofglamorgan.gov.uk%7C442555496d754d117e2e08d9ec99dfc5%7Ce399d3bb38ed469691cf79851dbf55ec%7C0%7C0%7C637800967883283287%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=jRy2rD%2F8ogCAN5bU6AAxcFuGn6S%2B%2BEQ%2FULynqnbG7OQ%3D&reserved=0)

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.**