

Version 2

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

OUTLINE PLANNING PERMISSION

Agent:
Paul Williams
Savills,
12, Windsor Place,
Cardiff,
CF10 3BY

Applicant:
Taylor Wimpey Plc
c/o Agent

Residential development of up to 190 units with associated access and associated works at Land West of Swanbridge Road, Sully

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS OUTLINE 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 20 July 2018 subject to the following condition(s):

1. Approval of the access, layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

(a) The expiration of five years from the date of this permission.

(b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. Prior to the first beneficial occupation of any dwelling, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include a package of measures tailored to the needs of the site and its future users to widen travel choices by all modes of transport and encourage sustainable transport.

Reason:

To ensure the development accords with sustainability principles and that the site is accessible by a range of modes of transport in accordance with Policies SP1 and MD2 of the Local Development Plan.

5. Prior to the commencement of the construction of any of the dwellings, a scheme, including details of the timing, for the provision and maintenance of the Public Open Space (including children's play equipment) shall be submitted to and approved in writing by the Local Planning Authority, and the public open space shall thereafter be provided in accordance with the agreed details.

Reason:

To ensure the timely provision of open space in the interests of the amenity of future occupiers and the wider area and to ensure compliance with Policy MD3 of the Local Development Plan.

6. Prior to the first beneficial occupation of any dwelling hereby approved, full details of the public art strategy and the timing of its provision, shall be submitted to and approved in writing by the Local Planning Authority. The Public Art shall thereafter be implemented on the site in accordance with the approved details.

Reason:

To ensure the delivery of Public Art on the site in accordance with the Council's Public Art Supplementary Planning Guidance, and to ensure compliance with Policy MD2 of the Local Development Plan.

7. Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access points in to the site, any new pedestrian footways and internal roads within the site, turning facilities and vision splays, sections, street lighting, surface water drainage and surface materials, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented and maintained thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accord with Policies MD2 and MD5 of the Local Development Plan.

8. No dwelling shall be occupied until such time as that dwelling is served by a vehicular access route to the adopted highway at either Swanbridge Road or Cog Road.

Reason:

In order to ensure that the dwellings can be accessed appropriately and to ensure compliance with Policy MD2 of the Local Development Plan.

9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 and MD2 of the Local Development Plan.

10. 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 and MD2 of the Local Development Plan.

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

1:7500 scale site location plan (Savills) received 28/12/16

Plan SULL/S2/IM01

Soltys Brewster Reptile Mitigation Strategy 18/7/18

Soltys Brewster Great Crested Newt Mitigation Method Statement 18/7/18

Overall Indicative Masterplan prepared by CWA Architects (December 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.

2016/01520/1/NMA

Condition 11 Amended- 8/3/24

12. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully completed as defined in the approved details.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies SP1, SP10 and MD8 of the Local Development Plan.

13. No development shall commence until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenity of the area is safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

14. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding;
 - v) wheel washing facilities;
 - vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - viii) hours of construction;
 - ix) lighting;
 - x) management, control and mitigation of noise and vibration;
 - xi) odour management and mitigation;
 - xi) any diesel and oil tank storage areas and bunds;
 - xii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
 - xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 and MD7 of the Local Development Plan.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination has been approved in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to ensure that any contamination is appropriately dealt with and to ensure compliance with Policies MD2 and MD7 of the Local Development Plan.

16. Any topsoil (natural or manufactured), subsoil, aggregate (other than virgin quarry stone) or recycled aggregate material to be imported to the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation and sampling which shall be submitted to and approved in writing by the Local Planning Authority prior to its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason:

To ensure that the safety of future occupiers is not prejudiced and to ensure the development accords with Policies MD2, MD5 and MD7 of the Local Development Plan.

17. Prior to the commencement of development, a Construction Traffic Management Plan, including details of parking for construction traffic, wheel washing facilities, the proposed routes for heavy construction vehicles and timings of construction and delivery traffic to and from the site, shall be submitted to and approved in writing by the local planning authority and the management plan shall be implemented at the commencement of any site clearance or temporary access or development works on the site and shall thereafter be complied with for the duration of the construction and laying out of the development.

Reason:- In the interest of highway / public Safety and the free flow of traffic along the adopted highway network, and to meet the requirement of policies SP1 and MD2 of the Local Development Plan.

18. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, surface water and land drainage (including highway drainage) will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The details shall include details of infiltration testing and the future perpetual maintenance and management of the drainage system. The scheme as approved shall be implemented prior to the first beneficial occupation of any of the dwellings and so maintained at all times thereafter.

Reason:

To ensure that adequate drainage facilities are in place to serve the development and to ensure compliance with Policies SP1 and MD2 of the Local Development Plan.

19. Prior to the commencement of development, a hydraulic modelling assessment (HMA) shall be undertaken in liaison with Dwr Cymru Welsh Water, in order to assess the effect of the proposed development on the existing water supply network and the need for any associated infrastructure works. None of the dwellings hereby approved shall be occupied until such time that any necessary water infrastructure works, as required by the HMA, have been completed and approved in writing by Dwr Cymru Welsh Water and the Local Planning Authority has been informed in writing of their completion (and Dwr Cymru Welsh Water's approval).

Reason:

In order to ensure that the development is served by an adequate water supply, to ensure that the development does not adversely impact on existing water supply, and to ensure compliance with policies SP1 and MD2 of the LDP.

20. Notwithstanding the submitted plans, prior to the first beneficial occupation of any of the dwellings, full details of the lighting to be provided on the highways, footpaths and open space areas within the development, shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall thereafter be carried out in full accordance with the approved details and prior to the first beneficial occupation/use of any part of the site to which the lighting relates.

Reason:

To ensure satisfactory lighting is provided throughout the development, in the interest of public safety and security, in the interests of ecology and to accord with Policies SP1, MD2 and MD9 of the Local Development Plan.

21. Any vegetation clearance must be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be first demonstrated in writing (with approval in writing by the Local Planning Authority) that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with Policy MD9 of the Local Development Plan.

22. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to their use in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to the part of the development that they relate to being put into beneficial use.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy MD2 of the Local Development Plan.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure (other than approved by conditions of this permission) shall be erected, constructed or placed on the application site 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 MD2 of the Local Development Plan.

24. Prior to the commencement of development, a plan for biodiversity conservation / enhancement shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include biodiversity enhancement measures, including but not exclusively limited to: dark, vegetated bat flight paths around/through the site (provision of a lighting plan) gaps under fences and provision of bird nesting opportunities. The details approved shall thereafter be implemented and retained at all times.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the LDP.

25. The development shall be carried out in accordance with the recommendations and measures set out in the Soltys Brewster Reptile Mitigation Strategy July 2018 and Soltys Brewster Bat and Great Crested Newt Survey Report.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the Local Development Plan.

26. Prior to the commencement of development, an updated Great Crested Newt Mitigation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out and maintained in accordance with the approved Mitigation Method Statement.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the Local Development Plan.

Reason for Granting Planning Permission

Having regard to policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP7 – Transportation, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG2 – Housing Allocations, MG4 – Affordable Housing, MG20 – Nationally Protected Sites and Species, 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, MD8 - Historic Environment and MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, the advice with Planning Policy Wales, Technical Advice Notes 1, 2, 5, 12, 16, 18 and 24 and the advice in the Council's SPG on Affordable Housing, Biodiversity and Development, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A Developer's Guide, Travel Plans and Trees, Woodlands, Hedgerows and Development, Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007), Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management, Welsh Office Circular 13/97 - Planning Obligations, Section 66(1) of the Planning (Listed buildings and Conservation Areas) Act 1990, Welsh Office Circular 60/96 - Planning and the Historic Environment: Archaeology and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas (as amended), it is considered that the development is acceptable in respect of the principle of the use, visual impact, highway/pedestrian safety and traffic, impact on residential amenity, ecology, archaeology, drainage, impacts on the tenant farm, agricultural land quality and trees/hedgerows.

NOTE:

- 1. Warning: An European protected species (EPS) Licence is required for this development.**
This planning permission does not provide consent to undertake works that require an EPS licence.
It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.
To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>
- 2. This consent does not convey any authorisation that may be required to gain access onto land not within your ownership or control.**
- 3. Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.**
- 4. You are advised that there may be species protected under the Wildlife and Countryside Act, 1981 within the site and thus account must be taken of protecting their habitats in any detailed plans. For specific advice it would be advisable to contact: The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP
General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**
- 5. The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP
General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**
- 6. 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.**

7. The attention of the applicant is drawn to the fact that a public sewer may run through the site and may be affected by the development.

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: 18 August 2022

Ian Robinson

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Head of Sustainable Development

**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 - email buildingcontrol@valeofglamorgan.gov.uk or visit https://www.valeofglamorgan.gov.uk/en/living/planning_and_building_control/building_control/Making-an-Application.aspx

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.