

**Version 3**

**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

**FULL PLANNING PERMISSION**

Agent:  
Loyn + Co Architects,  
21, Victoria Road,  
Penarth,  
Vale of Glamorgan.  
CF64 3EG

Applicant:  
Mr & Ms Chris & Carole Hinde & Jones  
8, Cliff Parade,  
Penarth,  
Vale of Glamorgan.  
CF64 5BP

**Replacement dwelling and garage at 8, Cliff Parade, Penarth**

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 21 February 2017 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:-
  - Existing Location Plan, Drg. No. 1616/L01 received 21 February 2017;
  - Existing Plans, Drg. Nos. 1616/E101 to E105, E200, and E201, received 7 February 2017;
  - Proposed Ground Floor, Drg. No. 1616/F000B, amended plan received 9 January 2019;
  - Proposed First Floor, Drg. No. 1616/F001A, amended plan received 24 April 2017;
  - Proposed Second Floor, Drg. No. 1616/F002A, amended plan received 24 April 2017;
  - Proposed Block Plan, Drg. No. 1616/F111, received 7 February 2017;
  - Proposed Elevations, Drg. No. 1616/F200B, amended plan received 9 January 2019;
  - Proposed Elevations, Drg. No. 1616/F201B, amended plan received 9 January 2019;
  - Proposed Sections, Drg. No. 1616/F210A, amended plan received 24 April 2017;

- Design and Access Statement, received 7 February 2017; and
- Tree Survey and Arboricultural Impact Assessment, including Tree Constraints Plan and Arboricultural Impact Assessment Plan, received 24 April 2017.

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.

### **2017/00112/1/NMA**

#### **Details Amended 27/02/2019**

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples, 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 of this coastal location, and the setting of the nearby listed building in accordance with Policies ENV6-East Vale Coast, ENV17-Protection of Built and Historic Environment, ENV27-Design of New Developments, and HOUS8-Residential Development Criteria of the Unitary Development Plan.

### **2017/00112/1/CD**

#### **Details Approved 21/02/2019 - Vale of Glamorgan Council**

**External Materials document, 1616 Cliff Parade, January 2019, received 10 January 2019**

4. Notwithstanding the submitted Tree Survey and Arboricultural Impact Assessment prepared by Treescene, dated 24 April 2017, this permission implies no consent to remove the street trees along Cliff Parade, and the proposed works shall take account of the National Joint Utilities Group (NJUG) guidelines for working close to trees.

Reason:

For the avoidance of doubt as to the extent of this permission, and in the interests of visual amenity, and the setting of the nearby listed building, in accordance with Policies ENV11-Protection of Landscape Features, ENV17-Protection of Built and Historic Environment, and ENV27-Design of New Developments of the Unitary Development Plan.

### 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 ENV6-East Vale Coast, ENV11-Protection of Landscape Features, ENV17-Protection of Built and Historic Environment, ENV27-Design of New Developments, HOUS2-Additional Residential Development, HOUS8-Residential Development Criteria, HOUS11-Residential Privacy and Space, TRAN10-Parking, REC12-Public Rights of Way and Recreational Routes, Strategic Policies 1 and 2-The Environment, 3-Housing and 8-Transportation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance, including Amenity Standards, Parking Standards, Trees and Development, and Model Design Guide for Wales; national guidance contained in Planning Policy Wales, TAN12-Design, TAN14-Coastal Planning and TAN16-Sport, Recreation and Open Space, it is considered that the proposal represents an acceptable form of residential redevelopment of the site that would not detract from the visual amenity of this coastal location and would preserve the setting of the nearby Grade II listed building, 'Sea Roads' 5 Cliff Parade. The proposal will also not cause any significant harm to the neighbouring and general residential amenities of the area, or highway safety.

### NOTE:

- 1. The work involves the creation of a new access and the closing-up of an existing access to the highway. The applicant must ensure that all works to form the new crossover, and reinstate the pavement at the existing crossover, 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.**
- 2. To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.**

**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: 31 May 2017

**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.
- 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.**