

Version 10

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:
LRM Planning Ltd.,
22, Cathedral Road,
Cardiff.
CF119LJ

Applicant:
Celtic Developments (Penarth) Ltd.,
28, Sturmi Way,
Village Farm Industrial Estate,
Bridgend.
CF33 6BZ

Demolition of existing dwelling and outbuilding, erection of 30 apartments, new access and alterations to adjacent parking area, replacement tree planting and landscaping and associated works (resubmission application) at Northcliffe Lodge, Northcliffe Drive, 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 6 June 2017 subject to the following condition(s):

1. The development shall begin no later than two years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and to overcome possible changes in market conditions which would necessitate a re-assessment of the viability of the development.

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

- Location plan, Drg. No. 1321/L01C
- Aerial location plans, Drg. Nos. L02C & L03C
- Existing plans and sections, Drg. No.s 1321/E01, E02 & E03;
- Block A Ground floor plan, Drg. No. 1321/S101C;
- Block B Ground floor plan, Drg. No. 1321/S102C;
- Block C Ground floor plan, Drg. No. 1321/S103C;
- Parking layout Northcliff Apart, Existing-Proposed, Drg. No. 1321/S110C;
- Block A Apartment plans, Drg. No. 1321/S115C;
- Block B Apartment plans, Drg. No. 1321/S116C;

- Block C Apartment plans, Drg. No. 1321/S117C;
- Blocks A, B & C West elevation, Drg. No. 1321/S208C;
- Site section A-A, Drg. No. 1321/S300C;
- Computer generated visualisations;
- Proposed topographical survey, Drg. No. 15025-100;
- Proposed levels, Drg. No. 15025-101D;
- Proposed finishes plan, Drg. No. 15025-102C;
- **Proposed drainage layout, Drg. No. 15025-103B;**
- Proposed site sections, Drg. No. 15025-104B;
- Proposed vehicle tracking, Drg. No. 15025-105D;
- Proposed access road long section, Drg. No. 15025-106A;
- Landscape plans and planting schedule, Drg. Nos. 2015./100 to 102 rev C;
- Design and Access Statement (DAS) and Presentation Drawings Brochure prepared by Loyn & Co Architects;
- Planning Statement (Original and Addendum) prepared by LRM Planning Ltd;
- Transport Statement by WYG;
- Preliminary Slope Stability Report and Stability Desktop Report both by Terra Firma (Wales) Ltd;
- Tree Survey and Arboricultural Impact Assessment by Treescene;
- an Ecological Assessment, Bat and Reptile Survey, and Biodiversity Strategy by David Clements Ecology Ltd;
- an Impact Assessment by Buzzbox;
- a Heritage Impact Assessment, and Landscape Impact Assessment by EDP Ltd;
- Pre-Application Consultation Report by LRM Planning Ltd;
- Proposed Roof Plan, Drg. No. 1321/S104D (Received on: 10.05.19);
- Proposed North Elevation Block A, Drg. No. 1321/S200D (Received on: 10.05.19);
- Proposed South Elevation Block A, Drg. No. 1321/S201D (Received on: 10.05.19);
- Proposed North Elevation Block B, Drg. No. 1321/S205/D (Received on: 10.05.19);
- Proposed South Elevation Block B, Drg. No. 1321/S206D (Received on: 10.05.19);
- Proposed East Elevation Block B, Drg. No. 1321/S207D (Received on: 10.05.19);
- Proposed North Elevation Block C, Drg. No. 1321/S210D (Received on: 10.05.19)
- Proposed South Elevation Block C, Drg. No. 1321/S211D (Received on: 10.05.19);
- Proposed Section BB, Drg. No. 1321/S301D (Received on: 10.05.19); and
- LRM Supporting Letter (Received on: 30.07.19)

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.

Condition 2 amended on 21/08/2019

3. A schedule of materials to be used in the construction of the development hereby approved, including samples, shall be submitted (prior to its use in the relevant element of the development) to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason:

In the interests of visual amenity and the wider character of the area, including the setting of the nearby listed buildings and the Penarth Conservation Area in accordance with Policies MD2-Design of New Development, SP10-Built and Natural Environment, and MD8-Historic Environment of the Local Development Plan.

2017/00541/6/CD

Details Approved 15/02/2018

Supporting Information document, reference 1321 Northcliff-December 2017 received 19 December 2017; External Materials document, received 18 December 2017 and the samples received on 15 February 2018

4. Before commencement of any works for the new access (excluding clearance and demolition), full engineering details of all traffic arrangements (including carriageways, footways, kerb radii, means of surfacing, **details of surface water management etc.**), associated with the means of access to the site, which shall be in general accord with Dwg. No. 15025-102 Rev C, shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full before the first beneficial occupation of any one of the residential units hereby permitted.

Reason:

In the interest of highway safety and to ensure a satisfactory form of access to serve the development, in accordance with the terms of Policies MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

2017/00541/5/CD

Details Approved 09/03/2018 - Vale of Glamorgan Council

Drg. No.s 15025-300, 'S278 General Arrangement and Details', and 15025-301, 'S278 Land Dedication Plan and Visibility Splays', received 11 December 2017

5. Prior to any works relating to the construction of the apartment blocks (other than demolition works) the reconfiguration of the existing car park serving the adjacent Northcliffe apartments shall be completed in accordance with the approved plans, Dwg. No. 1321/S110C.

Reason:

To ensure adequate car parking provision for the use of the adjacent Northcliffe apartments in the interests of highway safety, and in accordance with MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

6. The development hereby permitted shall not rely on, or utilise the existing access onto Northcliffe Drive, but shall be served only via the proposed new access onto Paget Place. Full details of the means of stopping-up of this access, the timing of which shall be in accordance with the agreed CEMP Condition 20, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

In the interests of neighbouring amenity, and community safety, in accordance with Policies MD2-Design of New Development and MD5-Development within Settlement Boundaries of the Local Development Plan.

2017/00541/1/CD

Details Approved 11/12/2017 - Vale of Glamorgan

Construction Environmental Management Plan (CEMP) as amended (Rev 2 - December 2017) received on 6 December 2017

Drawing ref. 15025-108 "Northcliffe Drive Access Closure Plan",

7. No dwelling shall be occupied until its associated parking space, cycle parking and visitor space, has been laid out within the site in accordance with the approved details, and that space shall thereafter be kept available for the parking of vehicles/bicycles in perpetuity.

Reason:

To ensure that satisfactory vehicle and cycle parking is provided on site to serve the development, and to ensure compliance with the terms of Policies MD2-Design of New Development and MD5-Development within Settlement Boundaries of the Local Development Plan.

8. Prior to the commencement of the development hereby approved, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut

unnecessary car use. The Travel Plan shall thereafter be completed in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

2017/00541/2/CD

Details Approved 23/02/2018 - Vale of Glamorgan Council

Travel Plan February 2018, amended document prepared by Vectos, received 23 February 2018

9. The development hereby permitted shall be implemented in accordance with the submitted Tree Survey and Arboricultural Impact Assessment, prepared by Treescene dated 8 June 2015 and 18 April 2017 respectively, with the agreed arboriculturist, Julian Wilks of Treescene, to carry out a watching brief from the commencement of demolition through to excavations/piling processes (including those required for the investigation into site stability and service trenching), in order to supervise and monitor these works near trees on, and adjacent to the boundaries, of the site, and to advise on, or undertake root severance as may arise, and to ensure adequate measures are in place to protect root zones and soil levels around trees that are to be retained.

Reason:

To ensure those trees that are to be retained are safeguarded during investigation and construction works, in the interest of visual amenity and the wider character of the area, including the setting of the nearby listed buildings and the Penarth Conservation Area in accordance with Policies MD2-Design of New Development, MD5-Development within Settlement Boundaries and MD8-Historic Environment 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 and to ensure compliance with Policies SP10-Built and Natural Environment, MD2-Design of New Development and MD8-Historic Environment of the Local Development Plan.

11. All means of enclosure associated with the development hereby approved, including retaining walls, shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

In the interests of visual amenity and the wider character of the area, including the setting of the nearby listed buildings and the Penarth Conservation Area in accordance with Policies MD2-Design of New Development, SP10-Built and Natural Environment, and MD8-Historic Environment of the Local Development Plan.

2017/00541/6/CD

Details Approved 15/02/2018

Supporting Information document, reference 1321 Northcliff-December 2017 received 19 December 2017

12. Prior to its construction, further details of the bin store, including elevations, materials and means of securing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved details.

Reason:

Full details have not been provided and in the interest of visual amenity and the wider character of the area, including the setting of the nearby listed buildings and the Penarth Conservation Area in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development and MD8-Historic Environment of the Local Development Plan.

2017/00541/6/CD

Details Approved 15/02/2018

Drg. No.s 1321/SK101, received 18 December 2017, and 1321/SK100A, received 12 January 2018

13. The development hereby permitted shall be implemented in accordance with the biodiversity protection, conservation and enhancement measures detailed in the Biodiversity Strategy (June 2016 v2) prepared by David Clements Ecology Ltd. Any works to the retaining wall referenced at paragraphs 4.4 and 4.5 of the David Clements Ecology Bat and Reptile Surveys report June 2016 (including repointing, demolition, partial demolition etc) must be undertaken outside of the bats hibernation period and under the supervision of the agreed ecologist David Clement Ecology. If any bats are found, all works must cease immediately and remain ceased pending consultation with Natural Resources Wales, and details of the bats

shall be reported to the Local Planning Authority in writing. Prior to the subsequent re-commencement of any works to the wall, a European Protected Species licence, if required by Natural Resources Wales, shall be submitted to the Local Planning Authority.

Reason:

In the interests of ecology and biodiversity enhancement in accordance with Policies MD9-Promoting Biodiversity, and MG20-Nationally Protected Sites and Species of the Local Development Plan, and TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

14. No development granted by this consent, other than demolition and tree removal, shall commence on site until a comprehensive geotechnical assessment, including results of monitoring, as recommended in the 'Slope Stability Desk Study Report' dated December 2015, and the 'Preliminary Slope Stability Analysis' dated November 2016, both prepared by Terrafirma, and incorporating a strategy for the disposal of surface water, has been submitted to and agreed in writing by the Local Planning Authority.

Reason:

To manage the flood risk and ground stability issues in the interests of public health and safety in accordance with Policies MD1-Location of New Development, and MD7-Environmental Protection of the Local Development Plan.

2017/00541/3/CD

Details Approved in part 1/05/2018

Letter from Terrafirma dated 21 November 2017

2017/00541/7/CD

Details Approved 11 July 2018

Geo-Environmental Report by Terrafirma, dated May 2018, reference 13124/2; and Ground Investigation & Computer Slope Stability Analysis Report by Terrafirma, dated May 2018, reference 13124/3

15. A scheme for the comprehensive and integrated drainage of the development site, including details of how foul water, surface water and land drainage will be dealt with shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development (excluding site clearance and demolition). In particular further details of the surface water drainage strategy are required, showing how road and roof/yard water will be dealt with, and if infiltration techniques are used, then details of field percolation tests should be included, along with any calculation for on-site attenuation or discharge, plus a maintenance

2017/00541/FUL

schedule for the surface water system. The approved scheme of drainage shall be implemented and completed in full accordance with the agreed details prior to the first beneficial occupation of any dwelling on the site.

Reason:

To ensure the effective drainage of the site and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies MD1-Location of Development and MD7-Environmental Protection of the Local Development Plan.

2017/00541/4/CD

Details approved 18/11/2020 Vale of Glamorgan Council

15025-103 – Proposed Drainage Layout (Rev L)

15025-110 – Proposed Drainage Construction Details (Rev D)

15025-117 – SuDS Maintenance Plan (Rev -)

Received on 29 July 2020

2017/00541/3/CD

Details Approved in part 1/05/2018

Enabling Works Northcliffe Car Park Construction Details, Drg. No. 15025-401, received 30 January 2018; Enabling Works Northcliffe Car Park Alterations, Drg. No. 15025-400 Rev B, received 28 March 2018; and Welsh Water letter dated 27 March 2018

16. 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 until a scheme to deal with the contamination found has been submitted to and 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. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy MD7-Environmental Protection of the Local Development Plan.

17. Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of 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 Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy MD7-Environmental Protection of the Local Development Plan.

2017/00541/8/CD:

Details approved 14/06/2021 (received 03/03/2021):

Analytical Test Report- Chemical
Analytical Test Report- Commercial Soil
Analytical Test Report- Residential Soil
Analytical Test Report- Topsoil Classification
Certificate of Chemical Analysis
Declaration of Compliance to BS3882:2015 and CLEA SGV Residential with Plant Uptake
Determination of Frost Susceptibility Report
Determination of Loose Bulk Density Report
Determination of the Particle Size Distribution Report
Determination of Thermal Weathering Properties of Aggregates
Magnesium Sulfate Test Report
Determination of Resistance to Fragmentation by the Los Angeles Test Method Report
Determination of the Water Content of Aggregate Report
Dry Density/Moisture Content Relationship Report
Liquid Limit, Plastic Limit and Plasticity Index Report
Method of the Determination of Constituents of Coarse Aggregate Report

18. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of 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 Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of

the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy MD7-Environmental Protection of the Local Development Plan.

2017/00541/8/CD:

Details approved 14/06/2021 (received 03/03/2021):

Analytical Test Report- Chemical
Analytical Test Report- Commercial Soil
Analytical Test Report- Residential Soil
Analytical Test Report- Topsoil Classification
Certificate of Chemical Analysis
Declaration of Compliance to BS3882:2015 and CLEA SGV Residential with Plant Uptake
Determination of Frost Susceptibility Report
Determination of Loose Bulk Density Report
Determination of the Particle Size Distribution Report
Determination of Thermal Weathering Properties of Aggregates
Magnesium Sulfate Test Report
Determination of Resistance to Fragmentation by the Los Angeles Test Method Report
Determination of the Water Content of Aggregate Report
Dry Density/Moisture Content Relationship Report
Liquid Limit, Plastic Limit and Plasticity Index Report
Method of the Determination of Constituents of Coarse Aggregate Report

19. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy MD7-Environmental Protection of the Local Development Plan.

20. 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:-

- details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated;
- a Construction Phase Programme, and shall demonstrate how the surface water scheme identified in Condition 15 will be implemented across the site, with indication of how the developer intends to control surface water run-off during construction works;
- utilisation of the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk);
- a system for the management of complaints from local residents which will incorporate a reporting system;

and the construction of the Development shall be completed 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 Policy MD7-Environmental Protection of the Local Development Plan.

2017/00541/1/CD

Details Approved 11/12/2017 - Vale of Glamorgan

Construction Environmental Management Plan (CEMP) as amended (Rev 2 - December 2017) received on 6 December 2017

21. No construction work associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday - 8:00 until 18:00
Saturday - 8:00 until 13:00

Unless such work is:

- (a) associated with an emergency (relating to health and safety or environmental issues);
- (b) carried out with the prior written approval of the Local Planning Authority.

In addition, should there be a requirement for piling or drilling on site, such operations are restricted to Monday-Friday 8:30 until 17:30 only.

Reason:

To safeguard the amenities of local residents, and to ensure compliance with the terms of Policy MD7-Environmental Protection 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, Policy SP7-Transportation, SP10-Built and Natural Environment, MG1-Housing Supply in the Vale of Glamorgan, MG4-Affordable Housing, MG19-Sites and Species of European Importance, 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; Supplementary Planning Guidance, including Amenity Standards, Trees and Development, Penarth Conservation Area, the Penarth Conservation Area Appraisal and Management Plan, Biodiversity and Development, Affordable Housing, Planning Obligations, Parking Standards and Model Design Guide for Wales; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Study, TAN2-Planning for Affordable Housing, TAN5-Nature Conservation and Planning, TAN10-Tree Preservation Orders, TAN12-Design, TAN14-Coastal Planning, TAN16-Sport, Recreation and Open Space, and TAN24-Historic Environment, it is considered that the proposal represents an acceptable form of residential redevelopment of the site that should not result in any significant harm to the visual amenity of the area and would preserve the setting of the nearby listed buildings and the Penarth Conservation Area. The proposal is also considered acceptable in respect of neighbouring and general residential amenities of the area and highway safety. In addition, subject to appropriate conditions, there should be no detriment to ecology interests on the site, and sufficient evidence has been submitted to show that the ground stability of the site should not preclude its development, and that provisions for the adequate drainage of the site can be made.

NOTE:

- 1. The developer is advised that they should be aware of the Severn Estuary Shoreline Management Plan (Theme Area: Penarth. Management Unit: PEN2) and the strategy outlined for this section of the coast.**
- 2. 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.**
- 3. Please note that the site is subject to a Tree Preservation Order and therefore if at any time you wish to undertake development which constitutes Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) you should contact the Directorate of Environmental and Economic Regeneration. Works constituting Permitted Development affecting trees covered by a Tree Preservation Order, whether branches, roots or its trunk require consent under Tree Preservation Order legislation. Similarly consent is required for works to Tree Preservation Order trees in general including lopping, topping and felling.**
- 4. 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.**
- 5. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner and although the Local Planning Authority has used its best endeavours to determine the application on the basis of the information available to it, this does not mean that the land is free from instability.**

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: 7 November 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 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.