

Version 6

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

APPROVAL OF RESERVED MATTERS

Agent:
Asbri Planning Ltd.
Unit 9,
Oak Tree Court,
Cardiff Gate Business Park,
Cardiff.
CF23 8RS

Applicant:
Kier Living Limited
Tugsten Building,
Central Boulevard,
Blythe Valley Business Park,
Solihull.
B90 8AU

Approval of all reserved matters on outline consent 2014/00282/OUT for residential development at Land at Caerleon Road, Dinas Powys

The Council in pursuance of its powers under the above mentioned Act and Order hereby **GRANTS APPROVAL** in respect of the detail plans registered by the Council on 8 August 2017 and submitted for the purposes of conditions imposed on the grant of planning permission () on the , subject to compliance with the outstanding conditions imposed and the conditions specified hereunder:

1. The development shall be carried out in accordance with the following approved plans and documents:
 - Site Location Plan, Drg. No. 5567/P/01, received 10 July 2017;
 - Existing Site Plan, Drg. No. 5567/P/05, received 10 July 2017;
 - Proposed Site Plan, Drg. No. 5567/P/10 Rev W, amended plan received 19 December 2018;
 - Floor Plan: Hatton End/Mid, Drg. No. 5567/P/200 Rev A, received 17 July 2017;
 - Floor Plan: Pemberton, Drg. No. 5567/P/201, received 17 July 2017;
 - Floor Plan: Holmewood, Drg. No. 5567/P/202 Rev A, received 17 July 2017;
 - Floor Plan: Kirkwood, Drg. No. 5567/P/203 Rev A, received 17 July 2017;
 - Floor Plan: Chelmsford, Drg. No. 5567/P/204 Rev B, received 17 July 2017;
 - Floor Plan: Hareford, Drg. No. 5567/P/205 Rev B, amended plan received 12 October 2017;
 - Floor Plan: Lindford, Drg. No. 5567/P/206 Rev B, received 17 July 2017;
 - Floor Plan: 2Bed End/Mid House LCHO, Drg. No. 5567/P/207 Rev B, received 17 July 2017;
 - Floor Plan: 1Bed Flats Aff'd Rent, Drg. No. 5567/P/208 Rev A, received 17 July 2017;

- Floor Plan: 2Bed End/Mid Aff'd Rent, Drg. No. 5567/P/209 Rev C, received 17 July 2017;
- Floor Plan: 3Bed End/Mid House Aff'd Rent, Drg. No. 5567/P/210 Rev B, received 17 July 2017;
- Floor Plan: 4Bed House Aff'd Rent, Drg. No. 5567/P/211 Rev B, received 17 July 2017;
- Floor Plan: Garages, Drg. No. 5567/P/212 Rev A, received 17 July 2017;
- Elevations: Hatton End/Mid, Drg. No. 5567/P/700 Rev B, received 17 July 2017;
- Elevations: Pemberton, Drg. No. 5567/P/701 Rev B, received 17 July 2017;
- Elevations: Holmewood, Drg. No. 5567/P/702 Rev B, received 17 July 2017;
- Elevations: Kirkwood, Drg. No. 5567/P/703 Rev B, received 17 July 2017;
- Elevations: Chelmsford, Drg. No. 5567/P/704 Rev C, received 17 July 2017;
- Elevations: Hareford, Drg. No. 5567/P/705 Rev C, amended plan received 12 October 2017;
- Elevations: Lindford, Drg. No. 5567/P/706 Rev A, received 17 July 2017;
- Elevations: 2Bed End/Mid, Drg. No. 5567/P/707 Rev A, received 17 July 2017;
- Elevations: 1Bed Flats Aff'd Rent, Drg. No. 5567/P/708 Rev A, received 17 July 2017;
- Elevations: 2Bed End/Mid, Drg. No. 5567/P/709 Rev A, received 17 July 2017;
- Elevations: 3Bed End/Mid, Drg. No. 5567/P/710 Rev A, received 17 July 2017;
- Elevations: 4bed House Aff'd Rent, Drg. No. 5567/P/711 Rev A, received 17 July 2017;
- Elevations: Hatton End/Mid (Render), Drg. No. 5567/P/712 Rev A, received 17 July 2017;
- Elevations: Pemberton (Render), Drg. No. 5567/P/713 Rev A, received 17 July 2017;
- Elevations: Holmewood (Render), Drg. No. 5567/P/714 Rev A, received 17 July 2017;
- Elevations: Chelmsford (Render), Drg. No. 5567/P/715 Rev A, received 17 July 2017;
- Elevations: Hareford (Render), Drg. No. 5567/P/716 Rev A, amended plan received 12 October 2017;
- Elevations: Lindford (Render), Drg. No. 5567/P/717 Rev A, received 17 July 2017;
- Elevations: Garages, Drg. No. 5567/P/718 Rev A, received 17 July 2017;
- Indicative street scenes and site section, Drg. No. 5567/P/750 Rev A, amended plan received 12 October 2017;
- Proposed Boundary Plan, Drg. No. 5567/P/15 Rev C, received 10 July 2017;
- Proposed Finishing Materials Plan, Drg. No. 5567/P/16 Rev B, received 17 July 2017;

- Amended Materials Swatch, received 20 March 2018, with further amendment to roof tile from Forticrete Slate Grey to Marley Duo Modern, Smooth Grey, details received 16 May 2018;
- POS/LAP Area, Drg. No. DP-304-01, amended plan received 12 October 2017;
- Play Area Proposal, Drg. No. PR121273-10, received 17 July 2017;
- Landscape Proposals, Drg. No. PR121273-11C sheets 1-3, amended plans received 12 October 2017;
- Soft Landscape Specification, prepared by ACD Environmental, Ref: PR121273spec Rev A, received 17 July 2017;
- Soft Landscape Management and Maintenance Plan, prepared by ACD Environmental, Ref: PR121273man Rev B, amended plan received 12 October 2017;
- Vehicle Tracking, Drg. No. 16022-150 Rev A, received 17 July 2017;
- Levels Strategy Sheet 1 of 2, Drg. No. 16022-102 Rev B, received 17 July 2017;
- Levels Strategy Sheet 2 of 2, Drg. No. 16022-103 Rev B, received 17 July 2017;
- Planning Statement, prepared by Asbri Planning, dated July 2017, received 17 July 2017;
- Design and Access Statement, prepared by Asbri Planning, dated July 2017, received 17 July 2017; and
- Geotechnical & Geo-Environmental Report prepared by Terra Firma, dated April 2017, received 10 August 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.

2017/00724/2/NMA

Condition 1 amended 20 June 2018

2017/00724/3/NMA

Condition 1 amended 9 January 2019

2. Notwithstanding the submitted plans, full engineering details and associated calculations of the proposed highway works, incorporating vision splays, street lighting, road signs, surface water drainage strategy and any retaining structures retaining or adjacent to the highway/public open space, which shall be in general accord with the Proposed Site Plan, Drg. No. 5567/P/10 Rev T, shall be submitted to and agreed in writing with the Local Planning Authority before their implementation on site. The development shall be completed thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accordance with Policy MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

3. The approved access, internal road layout and car parking provision, including private curtilage parking and on road bays (as identified on Drg. No. 55567/P/10 Rev T) shall be completed before the occupation of the residential units that they serve. The car parking provision shall thereafter be retained and maintained for use exclusively in connection with the residential units that they serve, and the wider development in relation to visitor spaces.

Reason:

To ensure adequate access and parking is provided and maintained in the interests of highway safety in accordance with Policies MD2-Design of New Development and MD5-Development within Settlement Boundaries of the Local Development Plan.

4. Notwithstanding the submitted plans, further details of the landscaping of the site, which shall provide full details of the proposed enhanced hedgerow boundaries, and further consideration of the proposed species in line with the Council's Landscape comments, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

In the interests of visual amenity and the character and appearance of the rural setting of the site on its eastern boundary, in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

2017/00724/1/CD

Details Approved 20/07/2018 - Vale of Glamorgan Council

Drg. No.s PRI21273-11G, Sheets 1 to 3, received 16 July 2018

5. 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 in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

6. Before the commencement of development a scheme providing for the fencing of the trees and hedgerows to be retained, and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be submitted to and agreed in writing with the Local Planning Authority. No development shall be commenced on site until the approved protection scheme has been completed and the scheme of tree/hedgerow protection shall be so retained on site for the duration of development works.

Reason:

To ensure the existing trees/hedgerows to be retained are safeguarded and in the interests of visual amenity and the character and appearance of the rural setting of the site on its eastern boundary, in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

2017/00724/1/CD

Details Approved 27/03/2018

Drg. No. 5567/P/10 Rev U, received 23 January 2018

7. Notwithstanding the submitted plans, before their installation on site, further details of the play areas, including equipment and enclosure, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of visual and neighbouring amenity, and the adequate and safe provision of public open space/play areas, in accordance with Policies MG28-Public Open Space Allocations, MD2-Design of New Development, MD3-Provision of Open Space, MD4-Community Infrastructure and Planning Obligations, and MD5-Development within Settlement Boundaries of the Local Development Plan.

2017/00724/1/CD

Details Approved 20/07/2018 - Vale of Glamorgan Council

PRI21273-10D-Play Area Proposals; Drg. No. 5721/W/11 Rev E-Boundary Setting Out Plan; and Drg. No. 5721/W/1007 Rev A-Hoop Top Railing Detail, all received 12 June 2018

8. Each of the public open space/play areas shall be laid out and completed in accordance with the agreed details before the first beneficial occupation of any of the dwellings directly adjoining or overlooking the public open space areas (for the avoidance of doubt, Plots 1-16; 20-37; 40-42; 49-55; and 70).

Reason:

In the interests of visual and neighbouring amenity, and the adequate provision of public open space/play areas, in accordance with Policies MG28-Public Open Space Allocations, MD2-Design of New Development, MD3-Provision of Open Space, MD4-Community Infrastructure and Planning Obligations, and MD5-Development within Settlement Boundaries of the Local 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 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, MG18-Green Wedges, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, 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, and MD9-Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance on Amenity Standards, Affordable Housing, Biodiversity and Development, Design in the Landscape, Model Design Guide for Wales, Parking Standards, Planning Obligations, Public Art, Sustainable Development, and Trees and Development; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Studies, TAN2-Planning and Affordable Housing, TAN5-Nature Conservation and Planning, TAN11-Noise, TAN12-Design, TAN15-Development and Flood Risk, TAN16-Sport, Recreation and Open Space, and TAN18-Transport, it is considered that the proposal represents an acceptable and sustainable form of residential development that should have no significant adverse impact on the character and appearance of the area, highway safety, neighbouring and general amenities, and other issues such as ecology, and flood risk. The proposal is therefore in line with the outline permission and the requirements of the S106 legal agreement, and complies with the relevant national planning policies and supplementary planning guidance.

NOTE:

- 1. The applicants are reminded of the requirement for compliance in full with the conditions imposed upon the outline planning permission.**
- 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. 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.**
- 4. The attention of the applicant is drawn to the fact that a public sewer runs through the site and may be affected by the development.**
- 5. The developer should be aware that the site lies adjacent to/partially within Zone C2 as defined by the Development Advice Map (DAM) under TAN15-Development and Flood Risk. There is therefore the potential for flood risk where Natural Resources Wales offer advice on the installation of flood-proofing measures as part of the development, which can be found in their Floodline publication 'Damage Limitation' www.naturalresourceswales.gov.uk.**
- 6. The developer is reminded of the responsibilities associated with working adjacent to the neighbouring railway line and Network Rail's land. In order to mitigate the risks involved the developer is advised to contact Network Rail's Asset Protection Wales Team on assetprotectionwalesnetworkrail.co.uk.**
- 7. The developer should be aware that the neighbouring East Brook is scheduled as a statutory main river, and as such a flood defence consent may be required. Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority - Vale of Glamorgan Council). Works include permanent and temporary works, including temporary crossings during construction phases. You are advised to contact the Council's drainage engineer for further information, crmoon@valeofglamorgan.gov.uk.**

8. **Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority - Vale of Glamorgan Council). Works include permanent and temporary works, including temporary crossings during construction phases.**

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: 8 December 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.