

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:	Applicant:
Ieuan Williams	Mr. J. Powell
Reading Agricultural Consultants	The Spinney
Gate House,	Twyncyn
Beechwood Court	Dinas Powys
Long Toll	Vale of Glamorgan
Woodcote	CF64 4AS
Reading	
RG8 0RR	

Temporary change of use from Granny annexe and studio, to a school (class D1) until 31st July 2020 at The Spinney, Twyncyn, Dinas Powys

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 8 October 2019 subject to the following condition(s):

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

RAC-8510_Location Plan (amended)
636.01.02.10.11 Site Plan
636.03 proposed elevations and 636.04 Proposed floor plans
Walking bus_risk_audit vers 2.0
Amended Noise report vers.02 Final
RAC-8510_Location Plan with walking bus route (amended)
RAC-8510_Land associated with school use only (amended)
Planning Statement The Spinney School - Final vers 1.1
Parking layout - Bowls Club
DWT197 - Travel Technical Note
DWT197 - Travel Plan
email from agent setting out enclosures received 11/11/2019

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.

2. The use of the annexe building and any associated land as a school shall accommodate no more than 20 pupils (as set out within the application documents) and shall cease to operate on or before 30th July 2020, after which time the annexe building and land shall only be used for purposes ancillary to the residential use of The Spinney.

Reason:

To ensure that local amenities are safeguarded and to enable the authority to maintain control over the use of the dwelling within this residential area and to ensure the development accords with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

3. Pupil(s) shall only enter or leave the site (The Spinney) by foot (except when car sharing with any one of two members of staff) and at no time shall any pupil(s) shall be brought onto/leave the site using motorised transport.

Reason:

In the interest of highway and pedestrian safety and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

4. Pupil(s), in connection with the use of the site as a school, shall only be dropped off/picked up at the Dinas Powys Bowls Club car park, St Andrews Road.

Reason:

To ensure that satisfactory vehicle parking facilities are provided and to ensure pupil safety and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

5. The use of the site (at The Spinney) as restricted under Condition 6 as a school shall not be carried out outside the hours of 10:00 to 16:30 Monday to Friday and not at any time on Saturdays and Sundays.

Reason:

To ensure that pupil safety is safeguarded and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

6. The use of the school and associated activities shall be strictly limited to the area defined within the orange land shown on Plan ref. RAC/8510/1 "Land Area Associated with School Use".

Reason:

To ensure that the amenities of the area are safeguarded and to ensure appropriate controls over the use of the land/building used in connection with the school and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

7. The staff and visitor parking areas as shown in Fig 6 of the Planning Statement shall be available at all times during the permitted hours of operation for the specified use, which be retained for the period as set out within this temporary consent under Condition 2.

Reason:

To ensure that satisfactory vehicle parking on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. The boundary shown in orange on Plan ref. RAC/8510/1 "Land Area Associated with School Use" shall along its north-west and east/south-east boundaries, be enclosed in accordance with the approved details (email from agent setting out enclosures received 11/11/2019) which be retained at all times for the operational period of the school.

Reason:

To ensure that the amenities of the area are safeguarded and to ensure appropriate controls over the use of the land/building used in connection with the school and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) 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, SP10 – Built and Natural Environment, MG6 – Provision of Educational Facilities, MG7 – Provision of Community Facilities, MD1 - Location of New Development, MD2 - Design of New Development, MD5 - Development within Settlement Boundaries and MD7 -

Environmental Protection, the temporary use of the site as a school, subject to conditions to limited its operations, is considered acceptable having regard to its impact on the amenities of nearby residential occupiers and highway impacts, including pedestrian safety and visual impact.

NOTE:

1. **This consent does not convey any authorisation that may be required to gain access over or onto land not within your ownership or control.**

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: 21 November 2019

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.