

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:
Christian Le Guilcher
Le Guilcher Architecture
1 powys road
penarth
cf643pb

Applicant:
Angela Pool
34 High Street
Penarth
Vale Of Glamorgan
CF64 1EZ

Single storey side/rear extension. Loft conversion complete with dormers and Juliet balcony at 34, High Street, 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 12 September 2022 subject to the following condition(s):

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

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:

2055/PL01 Site Location Plan
2055/PL05 Rev A Proposed Plans 1 of 2
2055/PL06 Rev A Proposed Plans 2 of 2
2055/PL07 Rev A Proposed Elevations

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.

3. The materials to be used in the construction of the external surfaces of the extension and dormer shall match those used in the existing dwelling].

Reason:

To safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

4. The raised patio/decking hereby approved shall not be brought into beneficial use until a 1.8m high privacy screen/fencing panel is erected along the north and south of the raised decking/patio area as detailed on plan numbers 2055/PL05 Rev A Proposed Plans 1 of 2 and 2055/PL07 Rev A Proposed Elevations.

Once erected, the privacy screen shall thereafter be retained in perpetuity.

Reason:

In the interests of privacy and to ensure compliance with Policy MD2 (Design of New Development) of the Local Development Plan.

5. The roof area of the extension shall not be used as a storage area, balcony, roof garden or similar amenity area.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policy MD2 Design of New Developments of the Local Development Plan.

6. Any part of ensuite bathroom window in the dormer facing number 33 High Street that is below 1.7m in height above the level of the floor in the room that it serves shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policy 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 for the area comprises the Vale of Glamorgan

Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), and MD5 (Development Within Settlement Boundaries) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040 and Supplementary Planning Guidance on Residential and Householder Development; and national guidance contained in Planning Policy Wales (11th Edition), and TAN12 (Design); the proposals are considered acceptable in terms of the design and visual impact, impact up on neighbouring properties, parking and amenity space.

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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

NOTE:

- 1. The applicant/owner shall be aware of the duties imposed under the Party Wall Act 1996. This requires a building owner to notify and obtain formal agreement from adjoining occupier(s) where the building owner intends to carry out work which involves: 1. Work involving an existing shared wall with another property; 2. Building on the boundary with a neighbouring property; 3. Excavating near a neighbouring building, and that work falls within the scope of the Act. Procedures under this Act are separate from the need for planning permission and building regulations approval. 'The Party Wall etc. Act 1996: explanatory booklet' is available at www.communities.gov.uk. (I71).**

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: 24 October 2022

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 - call 01446 704842 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.

