

**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

Town and Country Planning (Tree Preservation Order)  
Regulations 1969 (as amended)

**CONSENT TO UNDERTAKE WORK TO TREES COVERED BY  
A TREE PRESERVATION ORDER**

Agent:  
Mrs Alexandra Whiteley  
Ty Uchaf  
Drope Road  
Drope  
St Georges Super Ely  
CF5 6EP

Applicant:  
Mrs Alexandra Whiteley  
Ty Uchaf  
Drope Road  
Drope  
St Georges Super Ely  
CF5 6EP

**Work to tree covered by TPO No.09 of 2008: T3 Fell one silver birch adjacent to metal fence at rear boundary of the property at Ty Uchaf, Drope Road, Drope, St Georges Super Ely**

The Council in pursuance of its powers under the above mentioned Act and Regulations and Tree Preservation Order reference No. [[INSERT TPO REF HERE]] confirmed on hereby **GRANTS CONSENT** for the carrying out of the proposed work as described above and in accordance with the application registered by the Council on 7 June 2024 subject to the following condition(s):

1. The work shall be carried out in accordance with accepted rules and practices of good tree surgery to conform to B.S. 3998 - Recommendations for Tree Work.

Reason:

To ensure the work is carried out to an acceptable standard.

2. The work hereby approved shall be carried out by a suitably qualified professional tree surgeon.

Reason:

To ensure the continued health of the tree and therefore, that the visual amenities of the area are protected.

3. The work hereby approved shall be carried out within 12 months of the date of this consent.

Reason:

To ensure the work is completed within a reasonable time limit

4. 3 semi-mature replacement trees (such as Silver Birch or Alder) shall be planted in the rear garden of the property known as 'Ty Uchaf' during the next available planting season (October to March) following felling and shall be properly staked and watered during periods of drought for a period of five years. 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 that the visual amenities of the area are protected.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

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:**

**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).**

Dated: 27 June 2024

Ian Robinson

*I Robinson*

Head of Sustainable Development

**All correspondence should be sent to:**

Head of Regeneration and Planning,  
The Vale of Glamorgan Council,  
Dock Office,  
Barry.  
CF63 4RT

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES  
ATTACHED TO THIS FORM.**

## NOTES

1. Subject to the provision of the Tree Preservation Order, any person who has suffered loss or damage in consequence of any refusal (including revocation or modification) of consent, under the Order or of any grant of any such consent subject to conditions shall, if he/she makes a claim within the time and in the manner prescribed by the Order, be entitled to recover from the Authority compensation in respect of such loss or damage.  
  
Provided that no compensation shall be payable in respect of loss or damage suffered by reason of such refusal or grant of consent in the case of any trees the subject of a Certificate in accordance with Article 5 of the Order.
2. In assessing compensation so payable, account shall be taken of:
  - (a) Any compensation or contribution which has been paid whether to the claimant or any other person in respect of the same trees under the terms of the said or any other Tree Preservation Order under Section 29 of the Town and Country Planning Act 1962, Section 60 of the Town and Country Planning Act 1971, or Section 198 of the Town and Country Planning Act 1990 or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act 1943, or any compensation which has been paid or could have been claimed under any provision relating to the preservation of the trees or protection of woodlands, contained in an operative scheme under the Town and Country Planning Act 1932; and
  - (b) Any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.
3. A claim for compensation under the Order shall be in writing and shall be made by serving it on the Authority, such service to be effected by delivering the claim at the offices of the Authority addressed to the proper officer therefore or by sending it by prepaid post so addressed, within twelve months from the date of the decision of the Authority, or the Welsh Government, as the case may be, or where an appeal has been made to the Welsh Government against the decision of the Welsh Government on the appeal.
4. Any question of disputed compensation will be determined in accordance with the provisions of Section 205 of the Act.
5.
  - (i) Where the application is made to the Authority for consent, under the Order and that consent is refused by that Authority or is granted by them subject to conditions or where any certificate or direction is given by the Authority, then if the applicant is aggrieved by their decision on the application, or by any such certificate or if the person directed is aggrieved by the direction, the applicant or that person, as the case may be, may, by notice in writing served within 28 days from the receipt of notification of their decision, certificate or direction, or such longer period as the Welsh Government may allow, appeal to the Welsh Government.
  - (ii) When an appeal is brought under this provision from a decision, certificate or direction of the Authority, the Welsh Government, subject to the following provisions, may allow or dismiss the appeal or may reverse or vary any part of the decision of the Authority, whether or not the appeal relates to that part, or may cancel any certificate or cancel or vary any direction, and may deal with the application as if it had been made to him in the first instance.

- (iii) Before determining such an appeal, the Welsh Government shall, if either the appellant or the Authority so desire, afford to each of them an opportunity of appearing before and being heard by, a person appointed by the Welsh Government for the purpose. The decision of the Welsh Government on any such appeal shall be final.

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

Director of Development Services  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry  
CF63 4RT

<https://gov.wales/planning-appeals>