

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:
Mr Steffan Harries
LRM Planning
LRM Planning
22, Cathedral Road
Cardiff
CF11 9LJ

Applicant:
Hafod Housing
C/o Agent

Proposed demolition of existing school, development of 34 dwellings (30 flats and four houses) and associated works including the construction of bespoke bat roost, access/parking and landscaping at Former Cowbridge Comprehensive School, Aberthin Road, Cowbridge

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 5 October 2021 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:

3703/PA 001 Rev A Site Location Plan
3703-PA-210 Rev I - Proposed Site Layout
620-0001-SP01 Rev C - Swept Path Analysis
620-0001-SK01 Rev D - Proposed Site Access Visibility
319/2/E1 - M & E Site Plan
Tamlite Lighting Data Sheet - City BL Extruded aluminium LED bollard
Lighting Report R4 - Option 1 - Bollard
Amended 421.01 Rev B Planting Plan
Amended 3703/PA/201 Rev A Existing Site Survey
Amended 3703/PA/211 Rev A Overlooking Distances
Amended 3703/PA/215 Rev A Apartment Block A Proposed Floor Plans

Amended 3703/PA/216 Rev A Apartment Block A Proposed Elevations
Amended 3703/PA/220 Rev A Apartment Block B Proposed Floor Plans
Amended 3703/PA/221 Rev A Apartment Block B Proposed Elevations
Amended 3703/PA/225 Rev A 4B6P Proposed House Plans and Elevations
Amended 3703/PA/226 Rev A 3B5P Proposed House Plans and Elevations
Amended 3703/PA/227 Rev A 2B4P Proposed House Plans and Elevations
Amended 3703/PA/231 Rev A Proposed Cycle Store
Amended 3703/PA/232 Proposed Boundary Details
Amended 3703/PA/235 Rev A Proposed Site Sections
Amended 3703/PA/236 Proposed Site Sections Through Fly-over
Amended 3703/PA/240 Proposed Coloured Elevations
Amended 3703/PA/241 Proposed Coloured Elevations
Amended C1214-C-SK01 Rev B Drainage Strategy
Amended C1214-C-SK03 Rev B Site Contours Sketch

Amended Tree Survey
Amended Draft Tree Protection Plan
Amend Tree Constraints Plan
Amended Arboricultural Impact Assessment

Amended Planning Statement
Amended Design and Access Statement (version 2)
Amended Transport Statement
Additional Air Quality Assessment

Amended Archaeological and Heritage Assessment
Heritage Summary Report
Archaeological Evaluation
Noise Assessment Report March 2022

Extended Phase 1 and Bat Survey Report
Amended Hibernation Survey - Addendum Report Rev 2
Ecology Summer Survey Addendum Report
Soltys Brewster Ecology Response Ltr Sept 2021
Amended - 3703-PA-230 Rev A Proposed Bat Roost
Amended Ecology Report - Survey for Bats and Reptiles
Ecology comments from agent ecologist
Attachment to NRW email- with comments on email

ESP.7052b.3120 Geo-Environmental & Geo-Technical Report
ESP.7052b.3120 - Appendix A - Evaluation Methodology
ESP.7052b.3120 - Appendix B - Historical Maps
ESP.7052b.3120 - Appendix C - Envirocheck Data Report
ESP.7052b.3120 - Appendix D - BGS Borehole Records
ESP.7052b.3120 - Appendix E - Preliminary Uxo Risk Assessment
ESP.7052b.3120 - Appendix F - Trial Pit Records
ESP.7052b.3120 - Appendix G - Windowless Sample Drillhole Records
ESP.7052b.3120 - Appendix H - Results of Soakaway Infiltration Testing
ESP.7052b.3120 - Appendix I - Results of DCP Testing
ESP.7052b.3120 - Appendix J - Results of Gas and Ground Monitoring

ESP.7052b.3120 - Appendix K - Geotechnical Lab Test Results
ESP.7052b.3120 - Appendix L - Geoenvironmental Lab Test Results
ESP.7052b.3120 - Cowbridge Plates
ESP.7052b.3120 - Fig 1 - Site Features
ESP.7052b.3120 - Fig 2 - Investigation Point Plan

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. Notwithstanding the submitted details, and prior to their use on site samples of all materials and finishes to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to its first beneficial use.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy) and Policy MD2 (Design of New Development) of the Local Development Plan.

4. Notwithstanding the submitted plans no development (or any site clearance / demolition) shall commence until full details of existing ground levels within and adjacent to the site and proposed finished external and floor levels of the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the amenities of the area are safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

5. Notwithstanding the submitted plans, prior to the commencement of development (including any demolition) full details of all means of enclosure around and within the site, including details of any existing enclosures which are to be retained/alterd, in addition to details of the works to reinstate / alter the existing low level stone wall, stone piers and railings and a 1.8m high stone wall along eastern boundary of Plot 1. shall be submitted to and approved in writing by the Local Planning Authority. Where the agreed means of enclosure forms the site boundary with adjacent dwellings, this means of enclosure shall be erected prior to the commencement of development (including any demolition). All other means of enclosure as approved shall be completed in accordance with the approved details prior to first beneficial occupation of the respective houses

and flats and shall thereafter be so retained. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no other fences, gates or walls shall be erected within the site other than those agreed.

Reason:

To safeguard the amenity and privacy of adjoining occupiers and in the interests of visual amenity as required by Policy MD2 (Design of New Development) of the Local Development Plan.

6. Notwithstanding the submitted details, a method statement setting out the "no dig" method of construction within the RPA area of the protected trees shall be submitted to and approved in writing by the Local Planning Authority. The "no dig" works shall thereafter be carried out in full accordance with the agreed method statement.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

7. All the trees shown on the Draft Tree Protection Plan shall be protected by fencing, the type of which shall be approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained* until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

* the only works permitted within the Root Protection Area of the protected trees within the protective fencing is the "no dig construction" works which shall take place at the end of the contract after the completion of the houses and flats.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. Notwithstanding the submitted plans, other than demolition, no construction works shall take place until there has been submitted to and approved in writing by the Local Planning Authority an amended scheme of landscaping, which shall include a detailed layout and specification for the seating and play area. The seating and play areas shall thereafter be laid out in accordance with the agreed details, prior to the occupation of any of the flats and thereafter retained.

Reason:

To safeguard local visual amenities and to ensure appropriate amenity space provision for the occupiers and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

9. 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 to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

10. The building and site must be development in line with the detailed noise mitigation measures as set out in the Noise Assessment Report March 2022, except for the 1.8m high fence to the eastern boundary of Plot 1, which shall be a 1.8m high stone wall. All mitigation measures shall be completed before the occupation of any of the dwellings or flats and thereafter retained in perpetuity.

Reason:

To safeguard the amenities of the residents and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

11. Prior to occupation a post development noise assessment shall be undertaken and submitted for approval to the Local Planning Authority. The post development noise assessment shall demonstrate that all habitable rooms in the attic space achieve internal noise levels of 35dBA Leq16hour during the day and bedrooms achieve 30dBA Leq 8hour at night (with windows closed), consideration should also be taken in regards to the LAMax 45db which will need to be achieved. The relevant flats that do not

achieve the required standard shall not be occupied until such mitigation has been undertaken to comply with the above standards.

Reason:

In order to ensure that future occupants of the residential development are not affected by unacceptable levels of road noise to meet the noise impacts as set out in TAN 11 and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

12. The building shall not be occupied until the parking, cycle parking and associated access and turning areas have been laid out on site in accordance with the approved plans and the approved layout shall thereafter be kept available for the parking of vehicles / cycle parking in perpetuity.

Reason:

To ensure that satisfactory vehicle and cycle parking and turning facilities is provided 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.

13. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) which shall include a detailed Dust Management Plan, has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall also include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials and haulage routes;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) a method statement for the phasing and demolition works of the building;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xi) diesel and oil tank storage areas and bunds;
- xii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

14. 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

15. Any aggregate (other than virgin quarry stone) or recycled aggregate or 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

16. 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

17. No dwelling or flat shall be occupied until the parking spaces and cycle storage, associated access and turning areas have been laid out within the site in accordance with drawing no 3703/PA/210 Rev I (Proposed Site Layout) which shall thereafter be retained in accordance with the approved layout in perpetuity.

Reason:

To ensure that satisfactory vehicle parking, access and turning facilities is provided 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.

18. The development hereby approved shall have a minimum of 10% of all car parking spaces provided with charging "passive" infrastructure to include the necessary cabling and ducting to enable the simple installation and activation of EVCP parking spaces at a future date.

Reason:

To facilitate future provision of electric vehicle charging point parking to serve the development to ensure compliance with Policy 12 (Regional Connectivity) of Future Wales - The National Plan 2040.

19. Prior to the beneficial use of the building hereby approved, an ecological design strategy (EDS) addressing enhancement measures shall be submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved strategy within a timescale agreed within the EDS. The EDS shall include the following:

- a) Details of bird box provision
- b) Details of landscaping features
- c) Details of any additional ecological enhancements

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

20. No demolition or removal of any internal features of the building shall commence until an appropriate programme of historic building recording and analysis has been secured (which shall take the form of a level III survey as set out in "Understanding Historic Buildings: A Guide to Good Recording Practice", Historic England, 2016) and implemented in accordance with a written scheme of investigation which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason:

As the building is of significance, the specified records are necessary in order that records are kept of any features of archaeological interest and to ensure compliance with Policies SP1 (Delivering the Strategy) and SP10 (Built and Natural Environment) of the Local Development Plan.

21. The drainage scheme for the site shall ensure that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

22. Other than demolition, no construction works shall commence on site until a detailed scheme for the surface water drainage of the site, showing how road and roof / yard water will be dealt with has been submitted and approved in writing by the LPA. If infiltration techniques are used, then the plan shall include the details of field percolation tests. Any calculations for onsite attenuation or discharge should also be included together with the details on the management of the drainage system. The approved scheme shall be implemented prior to first beneficial occupation of any unit.

Reason:

To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased elsewhere and to prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

23. Before the commencement on the construction of development, full engineering details of the extent of the extent of internal access road and turning area to be adopted, including drainage and lighting shall be submitted to and approved in writing by the Local Planning Authority. The engineering details as approved shall be fully completed before the first beneficial use of any of the houses and flats hereby approved.

Reason:

To ensure the means of access to the site is provided in accordance with the Council's standard details for adoption and in the interests of highway 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.

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, SP3– Residential Requirement, SP4– Affordable Housing Provision, SP10- Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG1 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 - Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD1 - Location of New Development, MD2 - Design of New Development, MD5 - Development within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection, MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and Future Wales – the National Plan 2040. Planning Policy Wales (Edition 11), Technical Advice Notes 2, 10, 11, 12 and 24, the Council's Supplementary Planning Guidance on Residential and Householder Development, Affordable Housing, Biodiversity and Development Parking Standards and Planning

Obligations, whilst the proposal will result in the loss of a building which is considered to be of architectural / historic merit, the proposal would result in the delivery of much needed affordable housing, the merits of which are considered to outweigh the loss of the building and the scheme is considered acceptable having regard to the design, scale and visual impact of the buildings, impact on residential amenity and privacy, parking, highway safety, traffic, noise and odour ecology, archaeology and drainage.

NOTE:

1. CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

**(i) determining the extent and effects of such constraints;
(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;**

- Unprocessed / unsorted demolition wastes.**
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.**
 - Japanese Knotweed stems, leaves and rhizome infested soils.**
- In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
(iii) the safe development and secure occupancy of the site rests with the developer.**

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

- 2. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.**

The applicant is also advised that some public sewers and lateral drains may not be recorded on DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- 3. Warning: A European protected species (EPS) Licence is required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

- 4. The applicant is required to contact Highway Maintenance team (networkmanagement@valeofglamorgan.gov.uk) prior to carrying out any works on site adjacent to the adopted highway to agree location, specifications and for permission to work within the highway. All associated costs of undertaking the works will be at the applicant's own expense to ensure all works on the adjacent highway will be undertaken in accordance with the Council's standard details for**

adoption and in the interests of highway safety. The developer must enter into a Section 278/S38 Agreement with the Highway Authority before undertaking works along the adjacent highway

- 5. The archaeological work must be undertaken to the Chartered Institute for Archaeologists (ClfA), "Standard and Guidance for Building Recording" (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a ClfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.**
- 6. 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.**
- 7. The applicant shall note that a minimum of 12 weeks notice is required to implement a Temporary or Permanent Traffic Regulatory Orders should the closure or other order be agreed. Requests for any such orders must be submitted in writing to Operational Manager Highways and Engineering, Alps Depot Wenvoe, Vale of Glamorgan.**

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.

2018/01408/FUL

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: 20 December, 2022

Ian Robinson

I Robinson

Head of Sustainable Development

**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.