

# Cyngor Sir CEREDIGION County Council

Russell Hughes-Pickering

Swyddog Arweiniol Corfforaethol : Economi ac Adfywio  
Corporate Lead Officer : Economy and Regeneration

Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron. SA46 0PA  
www.ceredigion.gov.uk



## PLANNING DECISION

Town and Country Planning Act 1990

## PLANNING PERMISSION

### Agent:

Byron Jenkins  
Byron Jenkins Architectural Consultancy  
Capel Afan  
Llanafan  
Aberystwyth  
Ceredigion  
SY23 4AY

### Applicant:

Tommy Scarrott  
Clarach Bay Holiday Village  
Clarach  
Aberystwyth  
Ceredigion

### Part 1 - Particulars of application

**Date of application:** 13-12-2018      **Application No:** A181198

### Particulars and location of development

**Site Location:** Clarach Bay Holiday Village, Clarach, Aberystwyth.

**Proposal:** Proposed erection of a new managers dwelling

### Part 2 - Particulars of decision

Cyngor Sir Ceredigion hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

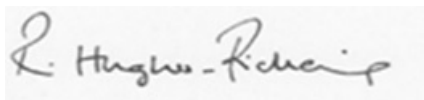
1. The development shall begin no later than eighteen months from the date of this decision.
2. The development shall be carried out in accordance with the following approved plans:  
395/01B;  
395/03M.
3. Prior to the construction of the dwelling hereby approved details and samples of the materials to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
4. The dwelling hereby granted full planning permission shall be occupied by the proprietor or manager of the Clarach Bay Holiday Village. The dwelling may also be occupied by persons who are totally or substantially dependent upon the person(s) referred to above.
5. Provision shall be made for parking and turning vehicles in accordance with plans approved by the Local Planning Authority. The proposed parking facilities shall be completed before the development is brought into use.
6. No vegetation clearance shall take place at any time within the bird breeding season (March 1st to August 31st inclusive) unless and until the developer submits written confirmation from a suitably qualified ecologist to the Local Planning Authority that a survey has been undertaken and found that there are no breeding birds, their young, nests or eggs that would be disturbed by the works to be carried out. If breeding birds, their young or eggs are found, no works may take place until the bird breeding season is completed or they have left the nest and there is no evidence of their returning.

7. Any exterior security or decorative lights shall be less than 3 m from the ground, and fitted with hoods to direct the light below the horizontal plane, at an angle of less than seventy degrees from vertical, and shall not be fixed to, or directed at, bat boxes or gables or eaves. Lighting must be less than 3 lux at ground level and there shall be no light splay exceeding 1 lux along buildings, eaves or roof or adjacent hedgerows or trees. Any lighting shall be Passive Infrared (PIR) triggered.
8. The development shall provide ecological enhancements in the form of at least one bat box and at least one bird box in a suitable location on the development site before the development is brought into use and remain thereafter in perpetuity.
9. Prior to any development proceeding, full details of the site's surface water system must be submitted to and approved in writing by the Local Planning Authority.

**Reasons:**

1. To ensure compliance with Section 91 of the Town and Country Planning Act 1990.
2. To ensure compliance with the approved plans.
3. In the interest of protecting the architectural character of the building and the wider area in line with DM06 of the LDP.
4. To ensure that the dwelling is occupied by the person applying for permission and whose personal circumstances have been taken into account in making the decision.
5. In the interest of road safety.
6. To avoid adverse effects on protected species (breeding birds) in line with TAN 5.
7. To avoid adverse effects on European protected species (bats) in line with TAN 5.
8. To enhance biodiversity in line with LDP policies DM06, DM14 and DM15.
9. To enable a satisfactory means of surface water disposal from the site.

**Informatives:**



Russell Hughes-Pickering  
Corporate Lead Officer: Economy and Regeneration  
Ceredigion County Council

**Date: 07-11-2019**

The development plan covering Ceredigion is the Local Development Plan 2007 – 2022 (LDP). The following LDP policies were relevant to the consideration of this application:

S01 - Sustainable Growth

S05 - Affordable Housing

DM03 - Sustainable Travel

DM06 - Design and Placemaking

DM10 - Design and Landscaping

DM14 - Nature Conservation/Ecological Connectivity

DM15 - Local Biodiversity Conservation

S04 - Development in LS and OL

## IMPORTANT INFORMATION

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit **[www.ceredigion.gov.uk/planning](http://www.ceredigion.gov.uk/planning)** to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) 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.

(3) 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). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

## IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

1. If the applicant is 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).
2. You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
3. You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
4. If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision)
  - Planning Permission (with the exception of Minor Commercial and Householder Applications - see below) Within 6 Months
  - Householder Appeal see endnote i Within 12 Weeks
  - Minor Commercial Appeal see endnote i Within 12 Weeks
  - Listed Building or Conservation Area Consent Appeals Within 6 Months
  - Tree Preservation Order (TPO) Consent Within 28 Days
  - Advertisement Consent Within 8 Weeks
  - Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 Months
  - Hazardous Substances Consent Within 6 Months

5. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5938, or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)
6. The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
7. The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
8. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a purchase notice requiring that Council purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Making an Appeal**

9. Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a “full statement of case”). You must also send a copy of the notice of appeal and full statement of case to the LPA.
10. In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
11. Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
12. Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice

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**THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:**

- BUILDING REGULATIONS – Please contact [buildingcontrol@ceredigion.gov.uk](mailto:buildingcontrol@ceredigion.gov.uk) or 01545 572 484 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION – Please contact [technical.services@ceredigion.gov.uk](mailto:technical.services@ceredigion.gov.uk) or 01545 572 405

**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.**

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[i] Please see the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 for appeal procedures and for full definitions of:

- “householder application” (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- “householder appeal” means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- “minor commercial application” (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.

“minor commercial appeal” means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.

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