

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:

Mr. Mathew Tench,
Mathew Tench Architects and Associates,
Llety Bach,
Pisgah,
Aberystwyth,
Ceredigion,
SY23 4EF.

Applicant:

Mr. David Clarke,
Ty Fosi,
Pantycrug,
Capel Seion,
Aberystwyth,
Ceredigion,
SY23 4EF.

Part 1 - Particulars of application

Date of application: 20-01-2020 **Application No:** A200047

Particulars and location of development

Site Location: Ty Fosi, Pantycrug, Capel Seion, SY23 4EF.

Proposal: Change of use of land to residential garden area and retrospective erection of retaining wall, decking area and garden room.

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 hereby granted full planning permission shall be carried out in strict accordance with the following approved plans:

- Drawing title: OS Location Plan (Drawing no: 1339.OS Rev B) received by the Local Planning Authority on the 4th May, 2020.
- Drawing title: Proposed Block Plan (Drawing no: 1339.P01 Rev D) received by the Local Planning Authority on the 4th May, 2020.
- Drawing title: Proposed garden room and decking (Drawing no: 1339.P03 Rev A).

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 – Statutory Instrument 2013/1776 (W.177) – Householder Permitted Development Rights (or any Order revoking and re-enacting that Order with or without modification), no development falling within Part 1, Classes E, F and H of that order shall be carried out without planning permission having first been obtained from the Local Planning Authority.

3. Within three months from the date of this planning permission, full details of the boundary treatment which is to be erected along the perimeter of the extended curtilage shall be submitted to the Local Planning Authority for approval.

The development shall thereafter be carried out in strict accordance with the approved details and the approved boundary treatment shall be erected within two months of its approval by the Local Planning Authority.

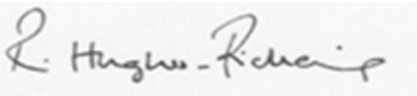
Reasons:

1. To ensure a satisfactory form of development.
2. To enable the Local Planning Authority to retain control of the development, in the interests of preserving the general amenity of the area.
3. To ensure a satisfactory form of development and in order to properly define the boundary of the extended curtilage.

INFORMATIVES:

LAND DRAINAGE ADVISORY NOTES:

- The Local Authority recommends the use of permeable surfaces to the decking area and any garden paths, to reduce the impact of the development on the natural environment.
- The applicant will require SAB approval in addition to the planning approval, in accordance with Schedule 3 of the Flood and Water Management Act 2010. It is therefore recommended that the applicant contact the SUDS Approving Body (SAB) as soon as possible. Further information can be found on the Ceredigion County Council's website via the following link: <http://www.ceredigion.gov.uk/resident/planning-building-control-and-sustainable-drainage-body-sab/sustainable-drainage-approval-body-sab/>



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Ceredigion County Council

Date: 28-07-2020

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:

DM06 - Design and Placemaking

S01 - Sustainable Growth

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 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

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
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

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 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 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.

[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.
