

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

REFUSAL OF PLANNING PERMISSION

Agent:
Mr. Peter Legg
DLP Architecture Ltd
89, Heol Don
Cardiff
CF14 2AT

Applicant:
Mr. Barry Conner
72, Clos yr Wylan
Barry
Vale of Glamorgan
CF62 5DB

Proposed two storey extensions to both sides with balcony to front (South elevation, single storey rear extension with roof terrace and new boundary treatments to side and rear at 72, Clos Yr Wylan, Barry

In accordance with the application and plans registered on 15 January 2020 the Council in pursuance of its powers under the above mentioned Act and Order hereby **REFUSES TO PERMIT** the proposed development for the following reason(s):

1. By reason of its size and design, the proposed extension would harm the character of the existing dwelling, the openness of the footpath and appear incongruous in relation to the scale of built development on Nell's Point. It would therefore be harmful to the visual and local amenity. The development would be contrary to Policies SP1, MD2 (criterion 1 and 2) and MD5 (criterion 3) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, the Council's approved Supplementary Planning Guidance 'Residential and Householder Development (2018)' (paragraph 7.3.2 and 8.1.2), and the advice within Technical Advice Note 12 (paragraph 2.6, 4.5, 4.8 and 6.16) and Planning Policy Wales (10th Edition) (paragraph 3.9 - 3.16).
2. By reason of the proximity of the proposed rear terrace and its position in relation to the boundary, the proposals would result in close and invasive overlooking of the neighbouring garden, thereby unacceptably harming the privacy and residential amenity of No.74 Clos y Wylan. The proposal is therefore contrary to criterion 8 Policy MD2 of the Vale of Glamorgan adopted Local Development Plan, and para. 8.12.1 and 9.2.2 the Council's Supplementary Planning Guidance on Residential and Householder Development.

Dated: 13 March 2020

M. J. Goldsworthy

Head of Regeneration and Planning

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

Note for applicant/agent

THESE NOTES SHOULD ALWAYS BE REPRODUCED WITH
COPIES OF THE DECISION NOTICE

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 the statutory period 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 statutory period for appeal submissions are dependent on the type of appeal and the circumstances, detailed below.
- Appeals in respect of the;
 - Householder and 'minor commercial' development must be received within **12 weeks** from the date of the decision notice;
 - Advertisement consent applications must be received within **8 weeks** from the date of the decision notice; and,
 - Other types of planning application must be received within **6 months** from the date of the decision notice.
- 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
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