

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:
Mrs Arran Dallimore
C2J Architects & Town Planners
Unit 1a, Compass Business Park
Pacific Road
Ocean Park
Cardiff
CF24 5HL

Applicant:
Mr John Hawkins
c/o Agent

Proposed construction of 2 x 1 bed units with onsite parking at Land at Romilly Park Road, Barry

In accordance with the application and plans registered on 20 June 2019 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 scale and relationship to adjacent dwellings, the proposed development is considered to result in an overdevelopment of the site that fails to respect the surrounding pattern of development and would, therefore, appear as a cramped, visually incongruous and harmful to the character of the street scene. The proposal would, therefore, be contrary to the aims of Policies SP1 Delivering the Strategy, MD2 Design of New Development and MD5 Development within Settlement Boundaries of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within the Council's Supplementary Planning Guidance on 'Residential and Householder Development', Planning Policy Wales 10th Edition and Technical Advice Note 12- Design.
2. By reason of its scale and siting, the proposed development would result in an unacceptable reduction in natural light, be overbearing and an unneighbourly form of development when viewed from the garden and side facing windows of No 81 Romilly Park Road, unacceptably impacting upon the amenities of the occupiers. The proposal would therefore be contrary to the aims of Policies MD2 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within the Council's Supplementary Planning Guidance on Residential and Householder Development, Planning Policy Wales 10th Ed. and TAN12 - Design.

3. In the absence of a noise assessment, the proposal fails to provide adequate information to assess the impact of noise and vibrations from the adjoining train line on the amenity and living conditions of future occupants of the site, contrary to Policies MD2 (Design of Development) MD7 (Environment Protection) of the Vale of Glamorgan Local Development Plan 2011-2026 and national guidance contained in TAN11 (Noise) and Planning Policy Wales (Edition 10, 2018).
4. The proposed scheme fails to provide adequate provision of usable and private amenity space to serve the proposed development contrary to policies MD1 – Location of New Development, MD2 – Design of New Development and MD5 – Development within Settlement Boundaries of the adopted Local Development Plan 2011-2026, together with Supplementary Planning Guidance 'Residential and Householder Development'.

Dated: 28 August 2019

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