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PLANNING APPEAL

If you need this document in large print, on audio tape, in Braille or in another language, please contact our Helpline on 02920 823866. **To help you fill in this form correctly please refer to guidance leaflet "How to complete your planning appeal form".**

Please use a separate form for each appeal

Before completing this form, please read our leaflet 'Making your appeal: How to complete your planning appeal form' which was sent to you with this form.

WARNING:

Your appeal must reach The Planning Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice, or within 6 months of the date by which they should have decided the application. (NOTE: If any of the "Essential supporting documents" listed in Section K are not received by us within the 6 month period, the appeal will not be accepted)

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. Appellant – The name of the person(s) making the appeal **must** appear as an applicant on the application form. **If this is not the case the appeal cannot be registered.**

Name **KENNY WILLAN**

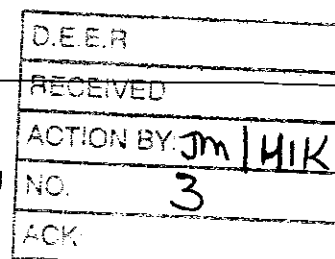
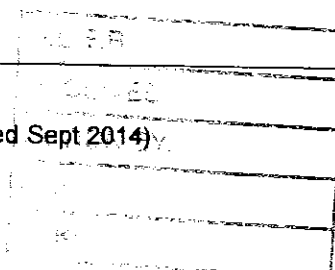
Organisation Name (if applicable)

B. Agent (if any) for the appeal

Name

Organisation Name (if applicable)

Reference



RECEIVED

16 APR 2015

C. Local planning authority (LPA)

Name of the LPA

VALE OF GLAMORGAN

LPA's application reference number

P/DC/HIK/ENF/2014/0366/PC

Planning Application form dated

JANUARY 18TH 2015

Date of LPA's Decision notice (if issued)

19TH MARCH 2015

D. Appeal site address

Address

42 STANWELL ROAD
PENARTH
VALE OF GLAMORGAN

Postcode

CF64 2EJ

Are there any health and safety issues at, or near the site which the Inspector would need to take into account when visiting the site?

**If yes, please explain in your grounds of appeal(section H)*

YES*

NO

✓

E. Description of the development

Please enter details of the proposed development. This should normally be taken from the planning application form, but if the application was revised while it was with the local planning authority for consideration, you may enter a description of the revised scheme. Please enclose a copy of the LPA's agreement to the change.

DORMER LOFT CONVERSION

SIZE OF APPEAL SITE : 348m²

AREA OF FLOOR SPACE OF PROPOSED DEVELOPMENT :

38m²

E. Description of the development (continued)

Size of the whole appeal site (in hectares) **0.0348**

Area of floor space of proposed development (in square metres) **38m² including converted loft space and dormer conversion**

	YES	NO
Has the description of the development changed from that entered on the application form?		<input checked="" type="checkbox"/>
Is flooding an issue?		<input checked="" type="checkbox"/>
Does the development affect the setting of a listed building?		<input checked="" type="checkbox"/>
Is the appeal site within an Area of Outstanding Natural Beauty?		<input checked="" type="checkbox"/>
Does the site lie within a conservation area?	<input checked="" type="checkbox"/>	
Does the site lie within a green belt/green wedge?		<input checked="" type="checkbox"/>

F. Reasons for the appeal

This appeal is against the decision of the LPA to:

*Please tick **ONE** box only*



1.	Refuse planning permission for the development described in Section E.	<input checked="" type="checkbox"/>
2.	Grant planning permission for the development subject to conditions to which you object.	
3.	Refuse approval of the matters reserved under an outline planning permission.	
4.	Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.	
5.	Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).	
6.	<i>The failure of the LPA to give its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.</i>	

G. Preferred Procedure (PLEASE CHOOSE ONE PROCEDURE ONLY)

You should start by reading our guidance leaflet "How to complete your planning appeal" which explains the different procedures used to determine appeals.

There are 3 possible choices- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting you preferred option.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views.



1. WRITTEN REPRESENTATIONS



This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions of buildings, individual houses or small groups of houses, appeals against conditions and change of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

		YES	NO
a	If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b	Is it essential for the Inspector to enter the site to check measurements or other relevant facts? * <i>If the answer is 'YES' please explain below</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

G. Preferred procedure (continued)

2 HEARING



This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

You must give detailed reasons below or in a separate document why you think a hearing is necessary.

--

	YES	NO
Is there any further information relevant to the hearing which you need to tell us about? If so, please explain below	<input type="checkbox"/>	<input type="checkbox"/>

--

NOTE: If you are proposing that this appeal follows the hearing procedure; you may wish to consider submitting a draft statement of common ground

G. Preferred procedure (continued)

3 INQUIRY



This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence

Although you may prefer an Inquiry the Inspectorate must consider your appeal suitable for this procedure.

You must give detailed reasons below or in a separate document why you think an Inquiry is necessary.

(This area is intentionally left blank for providing detailed reasons for an Inquiry.)

NOTE: If you are proposing that this appeal follows the Inquiry procedure; you may wish to consider submitting a draft statement of common ground

a	How long do you estimate the inquiry will last? Note: We will take this into consideration, but please note that our estimate will also be informed by other's advice and our own assessment	No. of days	
b	How many witnesses would you intend to call?	No. of witnesses	
c	How long would they need to give their evidence?	No. of days	
d	If there is any further information relevant to the inquiry which you need to tell us about please do so below		

(This area is intentionally left blank for providing further information relevant to the inquiry.)

H. Grounds of appeal

If you have requested the written procedure, please provide your **FULL** grounds of appeal.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive to enable to LPA to prepare their case. Refer to our guidance leaflet 'How to complete your planning appeal form' for help.

Please continue on a separate sheet if necessary.

	YES	NO
Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?		<input checked="" type="checkbox"/>

PLEASE SEE ATTACHED DOCUMENT.

Grounds of appeal:

Sincerely, we were not in any way aware of the fact that we were living in a conservation area. We feel so silly saying that now, but this was only brought to our attention by a neighbour who lives 2 doors down and is an architect, to state that she had noticed there was a dormer being built on an original roof and this would need planning due to the fact that we were in a conservation area.

My wife immediately contacted our builder who contacted an architect he knows and we got plans in for retrospective planning as soon as we realised this was the case. It was never our intention to deceive or be misleading; as lay people we were unaware, naively in hindsight, of our location within a conservation area and we were never advised of this fact. I recall discussions when we bought the house regarding whether or not the house was Grade II listed and perhaps this was why the fact that we are in a conservation area was not discussed?

We had three separate quotes from three separate builders as well as numerous visits from building control etc and, whilst it is not necessarily within their jurisdiction, no one had once mentioned that we might be within a conservation area and there may be additional planning requirements. I did ask about planning several times and was assured that we did not need planning due to the size of the area we were extending being less than the area that required planning permission.

There are several houses around us that have dormer conversions and some have very prominent extensions. The house next door to us has both, including an additional coach house at the bottom of the garden. The fact that there are so many alterations to homes around us led us to believe, as lay people, that there would not be a particular issue with having a dormer conversion. Due to the fact that we did not realise our location within a conservation area, we did not, therefore, draw plans or take the necessary steps in line with the requirements of a conservation area. It was not our intention to be negligent or unsympathetic to our area or home in any way. To the contrary, we were very clear with our builder that we wanted the dormer conversion to fit in with the other houses along the road and keep as close to the character of the home as possible; internally and externally.

My wife is currently seven months pregnant, with our baby due on the 4th of July. We have another three children and so the dormer conversion was built with the sole purpose of providing a comfortable home for our growing family and is therefore for our own personal use. This is a home that we intend to stay in and the potential of building two additional bedrooms to accommodate our children was highlighted to us by the estate agent when we bought the property, stating that the majority of the houses around us had done the same.

We really care about our home and the area in which we live and by no means want to be responsible for any aesthetic deterioration. The dormer extension cannot be seen unless stood behind the house from a distance (the road behind the house). It cannot be seen from any of the houses along the road and does not encroach on anyone's privacy or light and does not affect our neighbours in any way.

We do, now, understand that there are aspects of the work we have had done to our home that do not meet conservation regulations. We have appointed an architect to help us with this appeal. We would be open to revising the design to be more sympathetic to the surrounding area and character of the building and, of course, adhere to the policies relevant to conservation areas. I hope this is something that would be acceptable to your selves.

We look forward to hearing from you.

Thank you,

Kenny Willan

Please continue on a separate sheet if necessary

I. COSTS (Hearing and Inquiry cases – see guidance leaflet for further information)

	YES	NO
Do you intend to submit a costs application with this appeal? <i>If yes, please provide your case below</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(This area is for providing details of the case if the respondent answers 'Yes' to the question above. It is currently blank.)

Please continue on a separate sheet if necessary

J. Appeal Site Ownership Details (Part 1)

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal.

YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.

Please read the guidance leaflet 'How to complete your planning appeal form' if in doubt.

*Please tick **ONE** box only*

CERTIFICATE A (If you are the sole owner of the whole appeal site, certificate A will apply)



I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the guidance leaflet) to everyone else who, on the day 21 days before the date of this appeal, was the owner (see the guidance leaflet for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's Name	Date the notice was served

Please supply owner's address(es) on personal details page

CERTIFICATES C and D



If you do not know who owns all or part of the appeal site, complete either Certificate **C** or Certificate **D** at Annexes 3 & 4 of our guidance leaflet 'How to complete your planning appeal form' and attach it to the appeal form.

J. Appeal Site Ownership Details (Part 2) - AGRICULTURAL HOLDINGS CERTIFICATE
(this must be completed for all appeals)

We also need to know either the appeal site forms part of an agricultural holding.

Please tick either (a) or (b).

a	None of the land to which the appeal relates is, or is part of, an agricultural holding	<input checked="" type="checkbox"/>
bi	The appeal site is, or is part of an agricultural holding, and the appellant is the sole agricultural tenant	<input type="checkbox"/>
bii	The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:	<input type="checkbox"/>

Tenant's Name	Date the notice was served

Please supply Tenant's address(es) on personal details page

K. Essential supporting documents

The documents listed in 1–6 below, must be sent with your appeal form; 7-12 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it.

Please tick the boxes to show which documents you are enclosing.

OTHER DOCUMENTS TO FOLLOW

1	A copy of the original planning application sent to the LPA	<input checked="" type="checkbox"/>
2	A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).	<input type="checkbox"/>
3	A copy of the LPA's decision notice (if issued).	<input checked="" type="checkbox"/>
4	A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded in blue.	<input type="checkbox"/>
5	A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.	<input checked="" type="checkbox"/>
6	A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).	<input type="checkbox"/>

K. Essential supporting documents (continued)

Copies of the following must also be sent, if appropriate:



7	A copy of the design and Access Statement (if required).	
8	Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers below:	
9	Any relevant correspondence with the LPA.	
10	If the appeal is against the LPA's refusal or failure to approve the matters resolved under an outline permission, please enclose:	
a	the relevant outline application;	
b	all plans sent at outline application stage	
c	the original outline planning permission	
11	The appeal is against the LPA's refusal or failure to decide an application which relates to a condition , we must have a copy of the original permission with the condition attached.	
12	If the appeal is against the LPA's failure to decide an application please supply a copy of the LPA's letter registering your application.	
13	If a copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	

L. Other Appeals

If you sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.