

## The Planning Inspectorate

### PLANNING APPEAL FORM WALES (Online Version)

**WARNING:** The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

**Appeal Reference: APP/Z6950/A/16/3161658**

#### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

#### B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes  No

Name

Company/Group Name

#### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

LPA reference number

Date of the application

Did the LPA issue a decision? Yes  No

Date of LPA's decision

#### D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes  No

Address

Is the appeal site within a Green Belt? Yes  No

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? Yes  No

#### E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes  No



Please enter details of the proposed development. This should normally be taken from the planning application form.

Re-submission of application for removal of modified agricultural/rural enterprise occupancy condition imposed on Application 2011/0503/FUL in respect of the erection of existing 2 storey house.

Area (in hectares) of the whole appeal site [e.g. 1234.56]

0.33 hectare(s)

## F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission.
2. Granted planning permission for the development subject to the conditions to which you object.
3. Refused approval of the matters reserved under an outline planning permission.
4. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
5. Refused to approve any matters required by a condition on a previous planning permission.
6. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

## G. PREFERRED PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

2. Hearing

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

the box below

- a. The Appeal will require the Inspector to test the evidence of the parties and it will also require a detailed discussion of relevant planning policy, including but not limited to Planning Policy Wales (8th edition, 2016), Technical Advice Note 6 - Planning for Sustainable Rural Communities (2010) and the Vale of Glamorgan Local Development Plan 2011-2016:
- b. There are other material considerations to be set out in the Appeal Statement which will require a detailed discussion before the Inspector;
- c. In order to assess the merits of the Appeal and then to properly establish the actions undertaken by the parties, the Inspector will be required to engage in dialogue with the parties and their representatives and this can only be done through a hearings procedure;
- d. There is no requirement for the Appellant's legal representatives to cross examine witnesses from the Local Planning Authority which would require a public local inquiry.

Is there any further information relevant to the hearing which you need to tell us about?

Yes  No



3. Inquiry

## H. GROUNDS OF APPEAL

The grounds are set out in

the box below

- a. That the proposal to remove the occupancy condition is justified having regard to relevant national and local planning policy, particularly having regard to the development plan;
- b. That the requirement to make reasonable attempts to market the property with the current occupancy condition in place at a realistic price have been fully satisfied by the Appellant and that the Appellant has also demonstrated that there is a lack of demand for such a property with a rural enterprise/ affordable housing occupancy condition and that, consequently, there is no continuing need for the occupancy condition to remain in place;
- c. That the removal of the occupancy condition would not have a significant adverse affect on the supply of affordable housing in the Local Planning Authority's area; and
- d. That there is no support from national or local planning policy, in the circumstances, for a financial contribution through a planning obligation to be imposed as a justification for lifting the current occupancy condition.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

Yes

No



## I. COSTS

Do you intend to submit a costs application with this appeal?

Yes

No



Details of the costs application are set out in

the box below

## J. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

**I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;**



CERTIFICATE B

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



CERTIFICATE C and D

**If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.**



## J. (part two) AGRICULTURAL HOLDINGS

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

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) 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.



## K. SUPPORTING DOCUMENTS

- 01. A copy of the original application form sent to the LPA.
- 02. 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).
- 03. A copy of the LPA's decision notice (if issued).
- 04. 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 identifying 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 blue.
- 05. 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 to those sent to the LPA.
- 06. 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).
- 07. A copy of the design and access statement.
- 08. Additional plans or drawings relating to the application but not previously seen by the LPA.
- 09. Any relevant correspondence with the LPA.
- 10. (a) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose: The relevant outline application.
- 10. (b) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose: All plans sent at outline application stage.
- 10. (c) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose: The original outline planning permission.
- 11. If 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 letter registering your application.
- 13. 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. ADDITIONAL INFORMATION**

- |   |     |                             |                                     |
|---|-----|-----------------------------|-------------------------------------|
| Is flooding an issue?   | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| Does the development affect the setting of a listed building?           | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| Is the appeal site within an Area of Outstanding Natural Beauty (AONB)? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| Does the site lie within a Conservation Area?                           | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
| Does the site lie within green wedge?                                   | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |

**M. OTHER APPEALS**

- |   |     |                             |                                     |
|---|-----|-----------------------------|-------------------------------------|
| Have you sent other appeals for this or nearby sites to us which have not yet been decided? | Yes | <input type="checkbox"/> No | <input checked="" type="checkbox"/> |
|---|-----|-----------------------------|-------------------------------------|

**N. NOW SEND**

### **Send a copy to the LPA**

Send a copy of the completed appeal form, personal details form and any supporting documents not previously sent as part of the application to the LPA. If you do not send them a copy of these forms and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal and personal details form
- locating your local planning authority's email address:  
<http://gov.wales/topics/planning/appeals/make-an-appeal/sending-a-copy-to-the-council/?lang=en>
- attaching the saved forms including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your forms, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

**You may wish to keep a copy of the completed form for your records.**

## O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

### The documents listed below were uploaded with this form:

<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	01. A copy of the original application sent to the LPA.
<b>File name:</b>	K. 1 and 2 form and certificate.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	02. 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).
<b>File name:</b>	K. 1 and 2 form and certificate.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	03. A copy of the LPA's decision notice (if issued).
<b>File name:</b>	K. 3 decision notice.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	04. 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 identifying 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 appellants (if any) edged or shaded blue.
<b>File name:</b>	K. 4 site plan.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	05. 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).
<b>File name:</b>	K. 5 list of documents.pdf
<b>File name:</b>	K. 5a covering letter.pdf
<b>File name:</b>	K. 5b DAS.pdf
<b>File name:</b>	K. 5c Site Plan.pdf
<b>File name:</b>	K. 5d marketing.pdf
<b>File name:</b>	K. 5e correspondence with WG.pdf
<b>File name:</b>	K. 5f valuation.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	07. A copy of the design and access statement.
<b>File name:</b>	K. 5b DAS.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	09. Any relevant correspondence with the LPA.
<b>File name:</b>	K. 9 correspondence.pdf
<b>Relates to Section:</b>	SUPPORTING DOCUMENTS
<b>Document Description:</b>	11. A copy of the original permission with the condition attached if the appeal is against the LPA's refusal or failure to decide an application which relates to a condition.
<b>File name:</b>	K. 3 decision notice.pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US

**Completed by**

MR LAURENCE FORSE

**Date**

24/10/2016 18:19:30