



VALE OF GLAMORGAN COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended)**

Section 78 Appeal

FINAL COMMENTS

**Appeal by Mrs. Yvonne Levitt,
Site at 131, Fontygary Road, Rhoose, CF62 3DU**

**TOWN AND COUNTRY PLANNING (REFERRED APPLICATIONS AND APPEALS PROCEDURE) (WALES)
REGULATIONS 2017**

PLANNING INSPECTORATE REF. NO: 3239648

VALE OF GLAMORGAN REF. NO: 2019/00779/HH

**Helen Davies MSc
Senior Planning Officer (Enforcement and Appeals)**

**Vale of Glamorgan Council,
Dock Office,
Barry.
CF63 4RT**

1. FINAL COMMENTS FROM THE LPA

- 1.1 The appellant submitted their statement of case on 10/12/2019. All elements raised by the appellant have already been considered in the LPA statement, and original application report, submitted on 5/12/2019.
- 1.2 It should be noted that the appellant's statement of case is supported by a series of photographs which show the hedge on various, mostly unspecified, dates in the past. An assessment of the impact of the hedge, and whether a Remedial Notice can be justified or not, can only be based on the hedge measurements on the day of the application site visit. A High Hedge Remedial Notice cannot be served on the basis of photographs of a hedge from the past, with estimated measurements.
- 1.3 The measurements and supporting photographs from the day of the application site visit have been provided as part of the LPA statement. It is these, along with measurements and observations from any inspector site visit, which should form the basis for the appeal decision.