

Date/Dyddiad: 20 October 2017

Ask for/Gofynwch am: Mr. M. P. Howell

Telephone/Rhif ffon: (01446) 704610

Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/SK/2017/01080/FUL

e-mail/e-bost: Planning@valeofglamorgan.gov.uk

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Mr. D. Wardle  
Power Consulting (Midlands) Ltd  
14, Prime Park Way,  
Prime Enterprise Park,  
Derby.  
DE1 3QB

## NOTICE UNDER SECTION [62ZA(2) OF THE TOWN AND COUNTRY PLANNING ACT 1990

Dear Mr. Wardle

**Town and Country Planning (Development Management Procedure) (Wales)  
Order 2012 (as amended)  
[Article 8(3A)  
Development at Barry Port Biomass Plant, David Davies Road, Barry  
Proposal: Variation to condition 5 of planning permission 2015/00031/OUT to  
include fire tank and building as well as relocation of parking  
Application Reference: 2017/01080/FUL**

Notice is hereby given that planning application reference 2017/01080/FUL, received on 10 October 2017 is considered **invalid** as it does not comply with Article 8(1) and 22(3) of the 2012 Order.

Article 8 of The Town and Country Planning (Development Management Procedures) (Wales) Order 2012 (as amended) specifies what must be submitted with an application for planning permission for the application to be considered valid.

Article 22 of the 2012 Order specifies the items required for an application to be considered valid. The application is considered invalid as the following section(s) of the Order have not been complied with or item(s) required submitted:

- 22(a) an application which complies with the requirements of article 5:
  - 5(1)(c)(i) - a plan which identifies the land to which the application relates.
  - 5(1)(c)(ii) - any other plans, drawings and information necessary to describe the development which is the subject of the application.

To validate the Planning Application, the following must be submitted to the Local Planning Authority:

- The change of use of the land to car parking means the proposal would require an access statement

- Amend the site location plan and the site layout plan to include the additional area for car parking in the site edged red
- Can you provide an indication of the number of parking spaces on the site layout plan

**Appeals against notice of non-validation:**

Applicants for planning permission have the right of appeal to the Welsh Ministers under section 62ZB of the Town and Country Planning Act 1990. The time period within which the applicant must give notice of appeal is two weeks from the date of receipt of this notice. Full details of the appeal process are available under Article 24(C) of the DMPWO. Appeal forms are obtainable from the Welsh Ministers at <http://gov.wales/topics/planning/>.

This notice has been issued in accordance with Article 8(3A) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

The Town and Country Planning (Validation Appeals Procedure) (Wales) Regulations 2016 provide further information on how Welsh Ministers will conduct the non-validation appeals process.

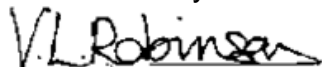
Notwithstanding the matters above, the description of the development has been amended as described above if it is not considered to accurately describe the development proposed. I would be grateful if you could confirm that you are satisfied with the suggested change to the description of the development proposed.

**All additional information must be submitted via email**

**[planning@valeofglamorgan.gov.uk](mailto:planning@valeofglamorgan.gov.uk) or via post not via the Planning Portal.**

**You must quote 2017/01080/FUL at the top of all returned correspondence to avoid any unnecessary delay in determining your application.**

Yours faithfully



Victoria Robinson

**Operational Manager Development Management**