

Date/Dyddiad: 9 April 2020

Ask for/Gofynwch am: Mr. Shafqut Zahoor

Telephone/Rhif ffon: (01446) 7044608

Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/SZ/2020/00002/1/CD

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

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Mr Huw Davies  
1 Dyffryn Place  
Barry  
CF62 8UN

Dear Sir

**Town and Country Planning Act, 1990 (as amended)**  
**Planning Permission Reference: 2020/00002/1/CD**  
**Proposal: Discharge Condition 3 [Materials] of Planning Permission**  
**2020/00002/FUL for the Demolition of existing single garage and construction**  
**of a 3 bay garage building in rear garden**  
**Location: 1, Dyffryn Place, Barry**

### **REFUSAL**

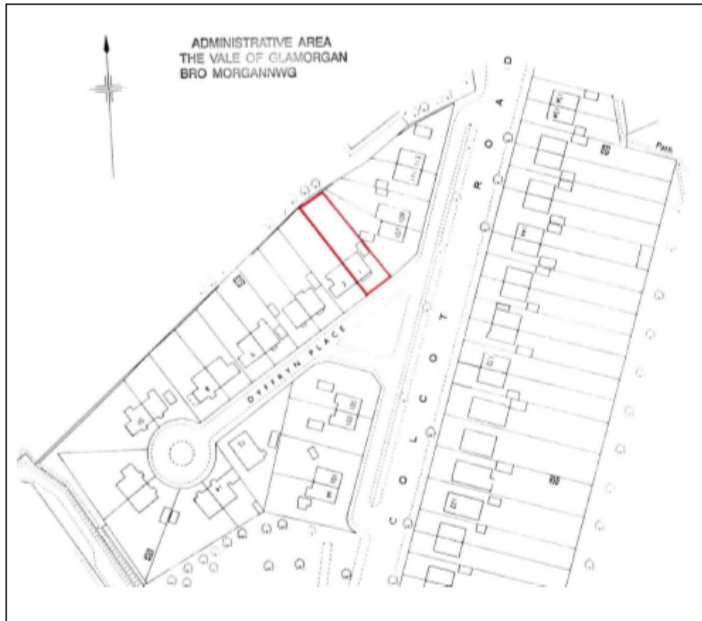
I refer to the above referenced planning permission approved and the details submitted in respect of the following conditions of that permission.

### **SITE AND CONTEXT**

The application site relates to 1 Dyffryn Place, a two storey, semi-detached dwelling located within the Barry Settlement Boundary. The site benefits from a front garden and rear garden together with off road parking and a detached single storey garage.

The surrounding area is residential in nature with residential properties forming the neighbours to the side. The rear boundary of the site abuts a sport centre car park.

An extract of the site location plans below identifies the site:



## DESCRIPTION OF DEVELOPMENT

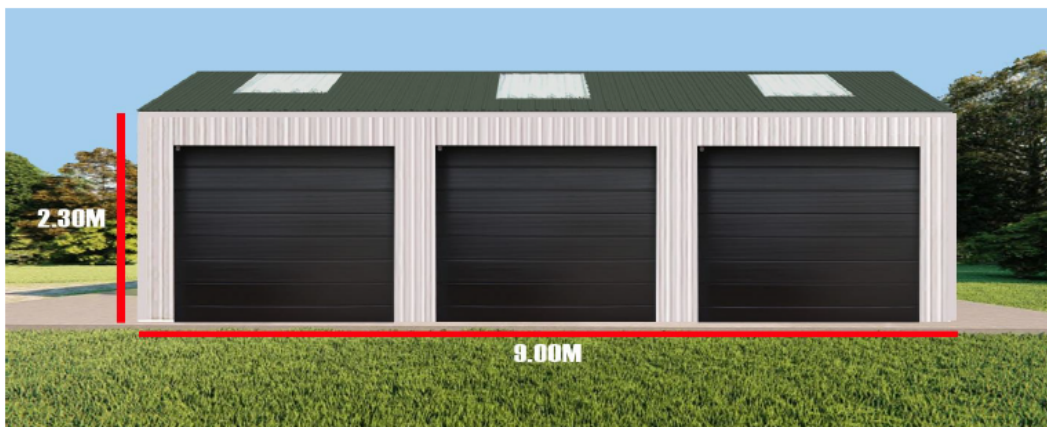
Planning permission was granted under planning reference: 2020/00002/FUL for the demolition of the existing garage and construction of a 3 bay garage. Condition 3 of that planning permission states:

*Notwithstanding the submitted plans and details, a schedule and samples of the external materials to be used in the construction of the garage hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The development shall be thereafter completed in accordance with the approved details.*

### Reason:

*To safeguard local visual amenities, as required by Policies MD2 (Design of New Development) & MD5 (Development within Settlement Boundaries) of the Local Development Plan.*

This application seeks to discharge the above condition by providing details of the roof and wall cladding together with the colour of the roller shutter. An elevation plan and have also been provided to demonstrate the proposal.





## REPORT

The original planning application as submitted proposed a larger garage finished in green cladding. Following officer concerns about the industrial look of the building, amended plans were submitted reducing the scale of the garage. Whilst the building had been reduced to a scale that officers felt on balance could be supported, the cladding element remained a matter of concern.

The officer report stated:

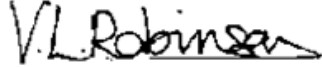
*The amended plans illustrate a significant reduction in the scale which would reduce the visual impact of the building. However, the garage would still be of a significant size and there are concerns that a green clad steel finish would give the appearance of an industrial building, as opposed to a domestic outbuilding, given the size. It is therefore considered more appropriate to condition further details/samples of the external finish of the garages to allow the applicant to investigate an appropriate finish. The applicant has been advised of these concerns and remains keen to use a metal clad finish. While an alternative colour may be more appropriate, there remain concerns with a material of this type, however, the condition does not explicitly preclude metal and will give the applicant an opportunity to submit samples.*

Whilst the condition did not preclude metal in principle (to give you an opportunity to investigate and consider different types of materials). The details submitted do not overcome the above concerns raised in the officer's report. The materials proposed would give the garage an appreciably industrial/commercial appearance which, given its significant size, is considered inappropriate and visually harmful in this residential context. By reason of these materials the building would, in the view of the Local Planning Authority, fail to appear an appropriately designed domestic outbuilding. This would be contrary to local and national policies, specifically

policies SP1, MD2 & MD5 of the Local Development Plan, TAN12 (Design) and advice within Planning Policy Wales (Edition 10).

On this basis I advise that the details submitted with regard to the following condition are **REFUSED**

Yours faithfully,

A handwritten signature in black ink that reads "V.L. Robinson". The signature is written in a cursive style with a horizontal line underneath the name.

Victoria Robinson  
Operational Manager Development Management

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 six months of the date of this notice, 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 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.**