

Date/Dyddiad: 21st June 2016

Ask for/Gofynwch am: Mrs. V. L. Robinson

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Your Ref/Eich Cyf:

My Ref/Cyf: P/DC/JMM/ENF/2016/0087/PC

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The Occupiers,
The Former Civic Amenity Site,
Land at Hayes Road,
Sully,
Vale of Glamorgan.

Delivered By Hand

Dear Sir/Madam,

Town and Country Planning Act, 1990 (as amended)
Use of land for Travellers/Gypsy Site
Location: Land at Hayes Road, Sully

As you will be aware the site off Hayes Rd, Sully which you currently occupy and is owned by the Vale of Glamorgan Council has been used by various parties for residential purposes since January 1st 2012. You will also be aware that the use of this site for such purposes does not have the benefit of Planning Permission and as such is not authorised by this Council.

Notwithstanding the above facts, the Council had intended allocating the site at Hayes Rd. for the purposes of establishing a formal Gypsy and Traveller site for up to 18 plots within the Local Development Plan (LDP) which is currently in the process of being examined by a Welsh Government appointed Inspector.

However at the LDP hearing session held on 22nd March, 2016, the inspector advised that in light of flooding constraints identified in the Development Advice Maps produced by Natural Resources Wales for the Welsh Government, the allocation of "Hayes Road, Sully" as a Gypsy and Traveller site should be deleted.

For information I have enclosed a relevant copy of the flood zone identified in the Development Advice Maps (referred to as zone C2) which you will note identifies the access, and a significant part of the surfaced area to the front part of the site you currently occupy as within zone C2. This is defined as an area within a flood plain, without significant flood defence infrastructure and Welsh Government guidance recommends that only less vulnerable development should be considered in such areas. Highly Vulnerable development such as housing and indeed the permanent siting of caravans for residential purposes is defined as highly vulnerable and should not be considered for such locations.

Given the fact that the site that you occupy and had been put forward for allocation as a Gypsy and Traveller site by the Council has been rejected by the Welsh Government appointed Inspector, the Council is now required to find alternative permanent provision. In coming to this position, the Council is also mindful of your apparent unwillingness to remain at this site if it were to have been established as formal authorised Gypsy and Traveller accommodation (as advised in recent contact with Ty Pawb who attended the site on behalf of the Council). It is therefore clear that a sustainable long term solution to your accommodation needs must be found.

The Council is mindful that finding alternative provision needs to be undertaken in partnership with yourselves, and is in the process of setting in place means by which we can work with current residents of the site to find a long term viable and sustainable solution to your accommodation needs. This can only be done by working with all the current occupiers of the site to find an accommodation solution which will meet your needs on a site which is suitable and not affected by flooding.

Given the clear need to find a permanent resolution to accommodation provision, the fact that the Council itself is the land owner in this instance and the current lack of any alternative site for the accommodation of travellers, it is clear that any formal action taken under the Planning Act with regard to the unauthorised use of the Hayes Road site is unlikely to be successful. Accordingly the Council has considered all planning matters that are relevant to the breach of planning control at the site and has determined that, for a period of 5 years from the date of this letter, no planning enforcement action will be pursued in respect of this breach of planning control. This will allow all parties to work to a more appropriate and suitable provision. However, the Council wishes to resolve this situation as soon as possible and would hope that alternative site can be found within the next 2 years.

Accordingly I would welcome the identification of a spokesperson or persons who would be willing to work with the Council in taking forward work to deliver a new site. Please contact Victoria Robinson by phone on 01446 704661, by email on vrobinson@valeofglamorgan.gov.uk or in writing to the Councils Docks Offices.

The Council therefore awaits your response to this request to engage in finding a long term solution to your accommodation requirements.

Yours faithfully,

Marcus Goldsworthy
Head of Regeneration and Planning