

APPEALS

The following appeals have been received since my last report to Committee:

CODE NO. A/17/3168010 (1798)
APPLICATION NO. P/16/695/FUL
APPELLANT MR ANTHONY SMITH
SUBJECT OF APPEAL CONSTRUCTION OF A BUNGALOW:
LAND BTW 16 & 17 HIGH STREET, OGMORE VALE
PROCEDURE WRITTEN REPRESENTATIONS
DECISION LEVEL OFFICER DELEGATED

The application was refused for the following reason:

1. The proposed development by reason of the restricted nature of the plot would result in an undesirable and cramped form of development, which would afford an unacceptably poor standard of residential amenity to the future occupants, by virtue of the limited usable space, the oppressive outlook from the dwelling and garden and lack of privacy to the future occupiers of the dwelling, contrary to criteria 1, 2, 3 and 12 of Policy SP2 of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (2016).
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CODE NO. A/17/3170739 (1799)
APPLICATION NO. P/16/636/RLX
APPELLANT HOMECARE CARE LTD
SUBJECT OF APPEAL REMOVE CONDITION 4 AND RELAX CONDITION 1 OF
P/15/183/FUL TO ALLOW UP TO SEVEN RESIDENTS
IN NEED OF CARE AT ANY ONE TIME:
THE WHITE HOUSE, BRIARY WAY, BRACKLA
PROCEDURE WRITTEN REPRESENTATIONS
DECISION LEVEL OFFICER DELEGATED

The application was refused for the following reasons:

1. The proposal, by reason of its scale and location, represents an over intensive and inappropriate form of development that is not in keeping with the existing character of the building, which is likely to cause unacceptable harm to the character of the surrounding residential area. The application is therefore contrary to Policy SP2 of the Bridgend Local Development Plan

(2013), advice contained within Technical Advice Note (TAN) 12: Design (2016), and advice contained within Section 9 of Planning Policy Wales (Edition 8, January 2016).

2. The proposal, by reason of the over intensification of the use, would have a detrimental impact on the residential amenities currently enjoyed by adjoining residential properties due to increased noise, nuisance and general disturbance contrary to Policy SP2 of the Bridgend Local Development Plan 2013.

CODE NO.	A/17/3171693 (1800)
APPLICATION NO.	P/16/720/FUL
APPELLANT	MR & MRS ARNESEN
SUBJECT OF APPEAL	AGRICULTURAL BUILDING (RESUBMISSION): GRAIGWEN, HENDRE ROAD, PENCOED
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	OFFICER DELEGATED

The application was refused for the following reasons:

1. Insufficient information has been submitted with the planning application to justify and support a building of the size and scale as proposed. It has not been evidenced that the building is necessary for the purposes of agriculture within the unit and it, therefore, represents an unjustified, sporadic form of development in the countryside contrary to Policy ENV1 of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (2016).
2. The proposed development by reason of its siting and scale, constitutes an undesirable and excessive form of development that would be detrimental to the visual amenities of the existing countryside contrary to Policies SP2 and ENV1 of the Bridgend Local Development Plan (2013), Technical Advice Note 12 Design (2016) and the aims of Planning Policy Wales (2016).

CODE NO.	A/17/3172020 (1801)
APPLICATION NO.	P/16/625/FUL
APPELLANT	MRS LYNNE CANTON
SUBJECT OF APPEAL	ERECTION OF DETACHED DWELLING : LAND ADJACENT TO CAMBRIAN HOUSE & CROSS WINDS, STORMY DOWN

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL OFFICER DELEGATED

The application was refused for the following reasons:

1. The site lies in a rural area and the proposal constitutes an undesirable sporadic development outside any existing settlement boundary which would be prejudicial to the character of the area in which it is intended that the existing uses of land shall remain for the most part undisturbed, would be contrary to established national and local planning policies and would set an undesirable precedent for further applications for similar development in this area to the detriment of visual amenities, contrary to Policies ENV1 and ENV3 of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (2016) and technical Advice Note 6 (2010).
2. Insufficient details have been submitted to enable the implications of the proposal on local biodiversity and green infrastructure to be properly evaluated by the Local Planning Authority contrary to Policies ENV4, ENV5 & SP2 of the Bridgend Local Development Plan (2013) and advice contained in Planning Policy Wales (2016).

The following appeals have been decided since my last report to Committee:

CODE NO. A/16/3164853 (1790)

APPLICATION NO. P/16/502/OUT

APPELLANT MRS LUCY HARRIS

SUBJECT OF APPEAL DEMOLITION OF EXISTING SINGLE GARAGE AND CONSTRUCTION OF A NEW 3 BEDROOM DETACHED PROPERTY [REVISED PARKING]: REAR OF 23 NOTTAGE MEAD, NOTTAGE, PORTHCAWL CF36 3SA

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL OFFICER DELEGATED

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE ALLOWED SUBJECT TO CONDITIONS.

THE APPEAL DECISION IS ATTACHED AS **APPENDIX A**

CODE NO. A/16/3164970 (1791)
APPLICATION NO. P/16/692/OUT
APPELLANT MRS ELAINE GROVES
SUBJECT OF APPEAL CONSTRUCT A PAIR OF SEMI-DETACHED HOUSES:
SIDE OF 8 GLANNANT ROW, SHWT, BETTWS
PROCEDURE WRITTEN REPRESENTATIONS
DECISION LEVEL OFFICER DELEGATED
DECISION THE INSPECTOR APPOINTED BY THE WELSH
MINISTERS TO DETERMINE THIS APPEAL DIRECTED
THAT THE APPEAL BE DISMISSED.

THE APPEAL DECISION IS ATTACHED AS **APPENDIX B**

CODE NO. A/16/3165452 (1792)
APPLICATION NO. P/16/171/FUL
APPELLANT MR ANTHONY SMITH
SUBJECT OF APPEAL DETACHED DWELLING: LAND ADJ TO THE OLD
POLICE STATION, BETHANIA ROW, OGMORE VALE
PROCEDURE WRITTEN REPRESENTATIONS
DECISION LEVEL OFFICER DELEGATED
DECISION THE INSPECTOR APPOINTED BY THE WELSH
MINISTERS TO DETERMINE THIS APPEAL DIRECTED
THAT THE APPEAL BE DISMISSED.

THE APPEAL DECISION IS ATTACHED AS **APPENDIX C**

CODE NO. A/16/3167106 (1795)
APPLICATION NO. P/16/454/FUL
APPELLANT MRS LUCY MORGAN
SUBJECT OF APPEAL DOUBLE EXTENSION TO SIDE OF THE HOUSE AND
ENLARGE SINGLE STOREY PLAY ROOM AT THE
REAR: 2 PEN-Y-FFORDD, NORTH CORNELLY
PROCEDURE HOUSEHOLDER

DECISION LEVEL OFFICER DELEGATED

DECISION THE INSPECTOR APPOINTED BY THE WELSH
MINISTERS TO DETERMINE THIS APPEAL DIRECTED
THAT THE APPEAL BE DISMISSED.

THE APPEAL DECISION IS ATTACHED AS **APPENDIX D**

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
(see application reference number)

Appendix A



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

B C B C
RECEIVED

17 MAR 2017

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/02/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 17.03.2017

Appeal Decision

Site visit made on 17/02/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 17.03.2017

CORPORATE DEVELOPMENT
DIRECTOR - COMMUNITIES

Appeal Ref: APP/F6915/A/16/3164853

Site address: 23 Nottage Mead, Porthcawl CF36 3SA

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mrs Lucy Harris against the decision of Bridgend County Borough Council.
- The application Ref P/16/502/OUT, dated 21 June 2016, was refused by notice dated 2 November 2016.
- The development proposed is demolition of existing single garage and construction of a new 3 bedroom detached property to rear of 23 Nottage Mead.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single garage and construction of a new 3 bedroom detached property to the rear of 23 Nottage Mead, Porthcawl CF36 3SA in accordance with the terms of the application, Ref P/16/502/OUT, dated 21 June 2016, subject to the conditions in the attached schedule.

Procedural Matters

2. The application is made in outline with all matters reserved. Indicative details of the layout and scale of the development are provided which I have taken into account.

Main Issues

3. These are the effect of the proposal on the character and appearance of the area, and residents living conditions.

Reasons

4. The appeal site is situated on the western spur of the Nottage Mead cul de sac. This part comprises a uniform layout of 2-storey semi-detached houses on the one side and a detached house (No 21A) and the host dwelling (No 23), a large semi-detached dormer bungalow, on the other. The latter occupy particularly spacious plots and the proposed house would lie between them, in the garden of the host dwelling.
5. The indicative site layout shows that the proposed dwelling would be set back from the road broadly in line with No 21A, with a front driveway and small lawn in common

with the prevailing housing layout in this part of Nottage Mead. The spacing between the development and its neighbours would also be broadly comparable to the houses opposite and the surrounding area generally. The proposed rear garden for the new dwelling would have a short depth, but this would not be readily apparent from within the public street scene, and in any event this is not a particularly qualifying feature of the area's context. Given that there would be visual gaps between the proposal and adjacent dwellings which would allow views towards the open vista beyond, the development would not appear cramped or out of place. I note that the indicative parking layout is tight, but this is a minor point of detail which could be addressed at the reserved matters stage.

6. The proposal would invariably reduce the external outside space for No 23, however a large area of garden would be retained to the south. Whilst this might be described as being the 'front' garden, it nevertheless benefits from a wall and hedgerow enclosure which provides significant screening from public view. I have no reason to believe that the hedge is under threat and it clearly wouldn't be in the interests of the property owners to remove it. Therefore, and even with minor amendments to the parking layout, this area of garden would provide a private and useable space for the occupants of No 23. There are no specific standards regarding acceptable amenity space, but an 'L' shape garden to the side and rear of the proposed dwelling as indicated would not be an unusual layout for a residential garden in a built-up area, and I consider that it is of sufficient size to allow for an acceptable standard of living for future occupiers.
7. Turning to the relationship between the proposal and the host dwelling, the new dwelling is capable of being designed so that there would be no direct window to window relationships involving habitable rooms, and although any windows on the principal rear elevation would be close to the common boundary, views would be oblique. In any case there is an alternative private garden space to the front which would be available to the occupiers of the host dwelling as a matter of choice. I accept that the existing first floor dormer of the host dwelling would overlook the side garden of the proposed development, but there would be some privacy to the rear garden and I do not consider that this on its own would amount to a reason for withholding planning permission.
8. I have considered the effect of the proposal on the privacy and amenity of No 21A, especially in terms of light and outlook. However, given the orientation of dwellings and the separation distances involved, there would be no significant effects in this regard.
9. For the above reasons, I conclude that the proposed development would not be harmful to the character and appearance of the area, or residents' living conditions. It would therefore comply with the objectives of Policies SP2 and COM3 of the Bridgend Local Development Plan.
10. In addition to the standard reserved matters conditions, a condition relating to the drainage of the site is necessary to ensure the satisfactory development of the site. I have also attached a plans compliance condition. Although the Council suggest a condition restricting the development to single storey height, scale is a reserved matter, and in the context of 2 storey development opposite and adjacent to the site, I do not consider that such a condition is necessary. In addition, details of parking layout, surface treatment and boundary enclosures are matters for the reserved matters stage.

11. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ('WCFG Act'). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WCFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WCFG Act.
12. For the above reasons and having regard to all other matters raised, I conclude that the appeal is allowed.

PJ Davies

INSPECTOR

Schedule of Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- 3) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 4) The development shall be carried out in accordance with the following approved plans: SITE LOCATION PLAN, PROPOSED SITE PLANS AND OUTLINE ELEVATIONS REVISION NUMBER 4.
- 5) No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the development and retained in perpetuity.

Appendix B



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

B C B C

RECEIVED

22 MAR 2017

CORPORATE DIRECTOR - COMMUNITIES
DEVELOPMENT

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/02/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22.03.2017

Appeal Decision

Site visit made on 17/02/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22.03.2017

Appeal Ref: APP/F6915/A/16/3164970

Site address: 8 Glannant Row, Shwt, Bridgend CF32 8UB

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mrs Elaine Groves against the decision of Bridgend County Borough Council.
- The application Ref P/16/692/OUT, dated 25 August 2016, was refused by notice dated 14 November 2016.
- The development proposed is construction of a pair of semi-detached houses.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline with appearance and landscaping reserved for future consideration.

Main Issues

3. These are the effect of the proposal on the character and appearance of the area, highway safety, and whether it would be a sustainable form of development.

Reasons

4. Shwt is a small group of houses predominantly comprised of modest terraces that are outside any defined settlement boundary for the purposes of Policy ENV1 of the Bridgend Local Development Plan (LDP). Although it has some visual identity as a group of dwellings, there are limited facilities for pedestrians and very little evidence of community buildings or services which usually assist in defining a settlement. In my view, Shwt is a remote and sporadic cluster of buildings and its setting is overwhelmingly rural in character. The proposal does not include evidence to suggest that it would be an exception to LDP Policy ENV1 and in principle it would conflict with the aim of this policy to safeguard the character and appearance of the countryside.
5. Planning Policy Wales Edition 9 (PPW) provides for sensitive infilling of small gaps, or minor extensions to groups of dwelling in the countryside, especially for affordable housing, but much depends on the character of the surroundings, the pattern of development and the accessibility to main towns and villages. In this case, because of

their semi-detached arrangement and physical separation from the end of Glannant Row, the proposed houses would be discrete in siting and appearance. In particular, the large visual gap to the side of the proposed development that would be formed by the garden of No 8 would ensure that the proposal would stand unrelated to the existing cluster of development. There is a derelict and overgrown site to the north east which I understand contains the former village hall but this does not present any formal frontage and is no longer a distinctive part of any established building pattern. In my view therefore the appeal site is not infill in nature. Moreover, as a pair of houses, the development would add significantly to the scale of housing in this remote location and it would be demonstrably of a more contemporary appearance than the traditional terraces that prevail in the area. I am in no doubt therefore that the form, scale and siting of the proposal would result in an unacceptable urbanising effect that would cause material harm to the rural character of its surroundings. This would be contrary to the objectives of LDP Policies PLA1 and ENV1 and PPW.

6. The appeal site is remote from any services or facilities, with Bettws being around a mile away and for the most part along narrow and winding country lanes that have limited street lighting or segregated pedestrian footpaths. There is a bus stop on the main road approximately 500 metres away but this is similarly reached along an unsafe and unattractive route for pedestrians, which would be especially so during the darker winter mornings and evenings. Whilst there might be a community transport scheme for the area, I have little information as to its timetables or regularity of service, or whether it represents a feasible option for daily transport needs, such as commuting to work. Similarly, I would not regard the conditions for cycling to be especially convenient or attractive for commuting to shops, schools or employment.
7. As well as the risk of pedestrian and vehicular conflict arising from existing highway conditions in the area, the remote location of the proposal would result in the occupiers of the development being primarily dependant on private transport. In the context of this small rural cluster of dwellings, the additional traffic from two additional dwellings would be significant, and I would not regard the proposal as a safe or sustainable form of development. The proposal therefore conflicts with the aims of LDP Policy SP2 and PPW.
8. My attention is drawn to other developments allowed on appeal in the Swansea area, but aside from being in different contexts, these relate to distinct infill or rounding off plots where the effect on the countryside character was considered acceptable. This is not the case here where the proposal would arbitrarily extend the built-up frontage of the road. The cases are not therefore directly comparable and I have considered the proposal on its own merits.
9. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ('WBFG Act'). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.
10. For the above reasons and having regard to all other matters raised, I conclude that the appeal is dismissed.

P J Davies **INSPECTOR**

Appendix C



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

B C B C

RECEIVED

22 MAR 2017

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/02/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22.03.2017

Appeal Decision

Site visit made on 17/02/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22.03.2017

CORPORATE DIRECTOR - COMMUNITIES
DEVELOPMENT

Appeal Ref: APP/F6915/A/16/3165452

Site address: Land adjacent to the Old Police Station, Bethania Row, Ogmere Vale, Bridgend, CF32 7AB

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Anthony Smith against the decision of Bridgend County Borough Council.
- The application Ref P/16/171/FUL, dated 1 March 2016, was refused by notice dated 20 June 2016.
- The development proposed is detached dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the proposal on residents' living conditions and highway safety.

Reasons

3. In order to assess domination and overshadowing effects, the Council uses the guidance contained in its 'Householder Development' Supplementary Planning Guidance 2 (SPG). This establishes that the proposed dwelling would infringe the daylight protection zone of the ground floor windows on the northern elevation of The Old Police Station. Nonetheless, given its northerly orientation, daylight reaching these windows would already be limited, especially given any mutual boundary treatment. Moreover the windows concerned do not relate to any principal habitable areas. Given that the host dwelling would be set back some 3 metres from the boundary and that the main two storey wall of the proposed dwelling would be approximately 10.5 metres away, I do not consider that the proposal would result in any unacceptable dominating or overshadowing effects.
4. It is evident from the layout and appearance of the appeal site that it currently forms part of the external garden space to the Old Police Station. However, the appeal site has an extant outline planning permission for a dwelling which is an important material consideration with significant implications for the amount of amenity space for the host dwelling. Although the particular circumstances are different in this case

Appendix D



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 15/02/17

gan **Janine Townsley LLB (Hons)**
Cyfreithwr (Nad yw'n ymar fer)

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 24.03.2017

Appeal Decision

Site visit made on 15/02/17

by **Janine Townsley LLB (Hons) Solicitor**
(Non-practising)

an Inspector appointed by the Welsh Ministers

Date: 24.03.2017

Appeal Ref: APP/F6915/D/17/3167106

Site address: 2 Pen-y-Ffordd, North Cornelly, Bridgend, CF33 4ES.

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Lucy Morgan against the decision of Bridgend County Borough Council.
 - The application Ref P/16/454/FUL, dated 7 June 2016, was refused by notice dated 16 August 2016.
 - The development proposed is double extension to the side of the house and to make the single storey play room bigger at the rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the development on the character and appearance of the area and the impact on living conditions of the occupiers of No.1 Pen-y-Ffordd, the neighbouring property, with particular reference to outlook.

Reasons

3. The appeal property is a two storey dwelling house. The proposal is to construct a two storey extension to the side of the property, a single storey extension to the rear and works to the porch on the front elevation of the property. From the information before me, there is nothing to suggest that the Council has any concerns in relation to the works to the porch or the single storey rear element of the proposal. There is no reason for me to question this position. The contentious element of this appeal therefore relates to the two storey side extension.

Character and Appearance

4. The appeal site is located within a residential area. Pen-Y-Ffordd is a cul de sac of detached, semi-detached and terraced dwellings with varying building lines. The appeal property is semi-detached, whereas the dwelling next door, No.1 is a detached dwelling set forward of the appeal property.
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Conclusion

12. Taking into account all matters raised, I conclude the appeal should be dismissed.

Janine Townsley

Inspector