

APPEALS

The following appeal has been received since my last report to Committee:

CODE NO.	D/17/3190447 (1820)
APPLICATION NO.	P/17/557/FUL
APPELLANT	MR V HUGHES
SUBJECT OF APPEAL	RE-FURBISHMENT OF EXISTING DWELLING, NEW ENTRANCE PORCH, RAISE HEIGHT OF ROOF TO ACCOMMODATE LOFT CONVERSION/SECOND FLOOR, VEHICLE PARKING MAESGWYN HOUSE, 63 BLACKMILL ROAD, BRYNCETHIN
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was REFUSED for the following reasons:-

1. The proposed dormer windows, by reason of their design, size, scale and prominence, would introduce excessive, incongruous and overly prominent features to this traditional building that would have a detrimental impact on the character of the host dwellinghouse, contrary to Policy SP2 of the Bridgend County Borough Council Local Development Plan (2013), Notes 12 and 14 of adopted Supplementary Planning Guidance Note 02: Householder Development, and advice contained within Planning Policy Wales (Edition 9) (2016).
2. The proposed materials and finishes are considered to be inappropriate and out of keeping with the host building that will, therefore, have an adverse effect of the visual character and appearance of the dwellinghouse, contrary to Policy SP2(2) of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9)(2016).

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

CODE NO.	C/17/3179866 (1808)
ENFORCEMENT NO.	ENF/3/16/C
APPELLANT	MR M ARTHUR
SUBJECT OF APPEAL	UNAUTHORISED USE FOR ACCOUNTANCY BUSINESS 2 TYTHEGSTON CLOSE, NOTTAGE, PORTHCAWL
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER
DECISION	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED AND THE ENFORCEMENT NOTICE BE UPHOLD.

A copy of the appeal decision is attached as APPENDIX A

CODE NO. A/17/3184080 (1817)
APPLICATION NO. P/17/206/OUT
APPELLANT MRS SHARON ENGLISH

SUBJECT OF APPEAL DEMOLITION AND REPLACEMENT OF AN EXISTING BUNGALOW WITH 3 TWO STOREY DETACHED DWELLINGS SUMMERVILLE BUNGALOW, HEOL LAS, MAWDLAM

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL DELEGATED OFFICER

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

A copy of the appeal decision is attached as APPENDIX B

CODE NO. A/17/3186945 (1816)
APPLICATION NO. P/16/848/FUL
APPELLANT FIELDBAY LTD

SUBJECT OF APPEAL CHANGE USE OF SINGLE RESIDENTIAL DWELLING (C3) INTO A 10 BEDROOM ASSISTED LIVING CARE HOME (C2) AND ASSOCIATED WORKS INCLUDING CONVERSION OF GARAGE INTO 3 BEDROOMS, EXISTING ANNEX INTO 2 SELF CONTAINED UNITS AND INFILL PORCH EXTENSION NORTH LODGE, PENYFAI

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL DELEGATED OFFICER

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

A copy of the appeal decision is attached as APPENDIX C

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers (see application reference number)



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 06/11/17

gan **Richard E. Jenkins BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08/01/18

Appeal Decision

Site visit made on 06/11/17

by **Richard E. Jenkins BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 08/01/18

Appeal Ref: APP/F6915/C/17/3179866

Site address: 2 Tythegston Close, Nottage, Porthcawl, Bridgend, CF36 3HJ

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

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Martyn Arthur against an enforcement notice issued by Bridgend County Borough Council.
 - The enforcement notice, numbered ENF/3/16/C, was issued on 5 June 2017.
 - The breach of planning control as alleged in the notice is without planning permission, the unauthorised change of use of the land from residential to a mixed use of residential and commercial business.
 - The requirements of the notice are to cease the mixed use of the land for residential and commercial business use by ceasing the running of a commercial business at the land.
 - The period for compliance is one month after the Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act, as amended.

Procedural Matter

2. The appeal was lodged under the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990, as amended. That ground of appeal, hereinafter referred as ground (a), is that planning permission should be granted for what is alleged in the enforcement notice. On the basis of the breach of planning control alleged within the notice, it follows that planning permission is sought for the change of use of the land from residential to a mixed use of residential and commercial business.
 3. Despite not indicating on the appeal form that any of the other grounds of appeal are being pursued, the appellant's written evidence clearly states that there has not been a material change of use at the property. Such a matter falls under the grounds set out in section 174(2)(b) of the aforementioned Act, hereinafter referred as ground (b), which is that the breach of planning control has not occurred as a matter of fact. Despite not being explicitly pleaded on the appeal form, I shall consider this issue before going on to consider the planning merits under the ground (a) appeal.
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Reasons

4. The appeal relates to a typical semi-detached residential dwelling with a single storey rear extension and a detached garage. The property is located in a residential area of Porthcawl and is currently occupied by the appellant's grandson. The appellant trades as a forensic accountant and the evidence indicates that his business employs six members of staff, with his wife and one other person also undertaking 'general duties' and 'errands'. Whilst the employees are provided with the facilities to work remotely, the appellant's evidence acknowledges that there is a general agreement that staff may attend the appeal property between 0930 hours and 1630 hours on weekdays. Specifically, the appellant states that such an arrangement provides the employees with an opportunity to 'work together on cases' and undertake tasks such as the 'printing of bulky material'.
5. Despite the acknowledgement of such working arrangements, the appellant's written evidence indicates that the material change of use alleged in the enforcement notice has not occurred as a matter of fact. In contrast, the Local Planning Authority (LPA) refers to the fact that, at the time of its site visit, the rooms to the rear of the dwelling and the converted garage were being used for commercial purposes. Specifically, the Council contends that the garage had been fitted with a long counter accommodating four desktop computers and some laptops. Whilst such internal arrangements had been altered by the time of the Council's subsequent site visits, a large desk remained in the centre of the room and the LPA contends that the use of the rooms had not changed during this time. The evidence also indicates that there was a range of employees working at the premises at the time of the Council's site visits and such assertions are corroborated by the appellant's response to the Planning Contravention Notice (PCN) which indicates that four people work from the property on a weekly basis, with another employee occasionally using the property for work purposes. It is also notable that, at the time of the Council's site visit, toilet arrangements were specifically designated for staff use.
6. Unlike the Council's observations, I did not find a functioning office at the time of my site visit. Specifically, the rooms to the rear of the dwelling were largely vacant, with only a sofa and office chair occupying one room and boxes and a shelving unit occupying another. Given the arrangement of the furniture and the untidy nature of the rooms, it appeared that the premises may have been recently cleared, with no evidence of any formal use. Even the laser printer which the appellant refers to in his own Grounds of Appeal was not readily visible. In addition to this, there was no sign of any office use in the converted garage. Specifically, storage shelves and equipment for the growing of plants occupied the largest room within the garage, with the other rooms simply providing bathroom facilities.
7. Despite the clear differences between my observations and those submitted by the Council, it was notable at the time of my visit that the front and first floor levels of the property were functionally separate from the rear rooms which are alleged to be in commercial use. Indeed, the appellant advised at the time of my site visit that it was not possible to access the front of the dwelling via the available internal door and that the easiest way to move from the rear of the dwelling to the front of the dwelling would be to exit the property and re-enter via the external doors located in the side elevation of the property. Such evidence clearly supports the allegation that the property had been separated and subject to a mix of uses.
8. Notwithstanding this, it is well established principle of planning that an enforcement appeal, such as that being considered in this case, should be considered on the basis of the use of the property at the time the enforcement notice was issued. In this

respect, the Council's evidence is consistent and compelling, with large parts of the appellant's own evidence corroborating the Council's allegation. It is also notable that the LPA's reasons for issuing the notice are supported by representations submitted by interested parties. It is for these reasons that I consider that, on the balance of probability, the scale of business operations at the time of the Enforcement Notice being issued can be differentiated from typical 'home working' arrangements and that a material change of use of the property had occurred.

9. In terms of the ground (a) appeal, planning permission is sought for the change of use of the appeal property from residential to a mixed use of residential and commercial business. There is no doubt that the appeal property is located within a predominantly residential area and it was clear at the time of my site visit that the property does not provide sufficient off-street parking for the proposed mixed use. Indeed, as well as any parking needs arising from the residential use, the appeal proposal could see up to six members of staff visit the premises at any one time, with further increases in staff possible if the business element remained unrestricted. I observed at the time of my site visit that there are a high number of dropped curbs within the area and that the carriageway comprises a curved design. As such, and bearing in mind the lack of sufficient off-street parking, I consider that the proposed use would inevitably lead to indiscriminate parking of vehicles which would represent a material threat to highway safety in the area.
10. In addition to such matters, there is little doubt that the comings and goings associated with the proposed mixed use would have potential to result in unacceptable levels of noise and general disturbance, to the detriment of the living conditions of the occupiers of neighbouring residential properties. It is also clear that the comings and goings would injuriously alter the quiet residential character of the area. Indeed, such concerns are consistent with the general thrust of the written representations submitted by local residents. I recognise the fact that, under the working arrangements specified by the appellant, it would be unlikely that all of the members of staff would be at the premises at the same time. I also recognise that regular deliveries to the property are not anticipated. However, once a business use is established within such a residential area, it would be difficult for the LPA to effectively monitor such matters. Similarly, it would be difficult for the LPA to ensure that staffing numbers are maintained at permitted levels.
11. For these reasons, I find that the proposed change of use would undermine highway safety in the area. It would also represent a material threat to the quiet residential character of the area and have potential to cause material harm to the living conditions of the occupiers of neighbouring residential properties. As such, I consider that the change of use would run counter to the general thrust of Policy SP2 of the adopted Bridgend County Borough Council Local Development Plan 2006- 2021 (LDP)(2013). The identified adverse consequences of the mixed use amount to compelling reasons why planning permission should not be granted and, for this reason, I consider that the ground (a) appeal should fail. Therefore, having considered all matters raised, I conclude that the appeal should be dismissed and that the enforcement notice should be upheld.
12. In coming to this conclusion I have considered where relevant 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). I have taken into account the ways of working set out at section 5 of the WBFG Act and 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, as required by section 8 of the WCFG Act.

Richard E. Jenkins

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 11/12/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 4/1/18

Appeal Decision

Site visit made on 11/12/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 4/1/18

Appeal Ref: APP/F6915/A/17/3184080

Site address: Summerville Bungalow, Heol Las, Mawdlam, Bridgend CF33 4PH

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 Sharon English against the decision of Bridgend County Borough Council.
 - The application Ref P/17/206/OUT, dated 20 March 2017, was refused by notice dated 13 June 2017.
 - The development proposed is demolition and replacement of an existing bungalow with 3 No two storey detached dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

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

Main Issues

3. The main issues are the effect of the proposal on: the character and appearance of the area; residents' living conditions; highway safety; ecology; and, whether the development would make adequate provision for drainage.

Reasons

4. This part of Heol Las is characterised by mixed housing styles and has an informal layout with evidence of some backland development nearby. Plot sizes also vary but the general impression is of being within a built-up area on the outer fringes of a settlement. Given the diverse context, 2-storey development of the scale indicated would not be out of place. The tandem nature of the development would also be consistent with the varied housing pattern. In terms of site coverage, the proposed plots would compare with others nearby and the dwellings would benefit from adequate space between and around them. In these circumstances, the site would not appear cramped or overdeveloped and I find that there would be no harm to the character or appearance of the area.
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5. The neighbouring dwelling, Byways Cottage, is set back from the site boundary at a higher level to Plot 2 and is orientated so that its principal elevation is turned away from Plot 3. Given the angles and distances involved I am satisfied that a dwelling on Plot 3 could be suitably designed and landscaped to ensure that there is no material loss of privacy for the occupiers concerned. Given the elevation of Plot 3, there are existing views over the neighbouring garden of Ty Gwyn. However, owing to the distances, considerations of siting, landscaping and design at the reserved matters stage would ensure that the amenities of the occupiers of that property are also safeguarded. Similarly, although the proposed access would run close to the boundary with Ty Gwyn, it would relate to a private drive which would be limited to traffic associated mostly with the development. Part of the boundary is flanked by a large outbuilding and the side wall of Ty Gwyn does not contain any principal windows. Screening could also be provided along the boundary which would provide suitable mitigation. I find that the proposal would not cause any material harm to residents' living conditions.
6. The turning head for the development would be located some distance from Plot 3, but even so, it would appear that there is sufficient space within the plot to provide for manoeuvring space. This is therefore a matter that can be addressed at the more detailed stage.
7. However, owing to the siting of the proposed access close to the boundary with Ty Gwyn, visibility to the east is restricted by the adjacent boundary wall / hedgerow and a telegraph pole, which are outside the appellant's control. Vehicles emerging from the access would therefore need to move partly out into the road to assess oncoming traffic. Whilst traffic flow is relatively low due to the termination of the road at the eastern end, it nevertheless serves a number of dwellings and allotments. It also serves Heol Broom which provides an alternative route for some drivers wishing to take a shorter route. At peak times therefore the road is likely to accommodate some heavier traffic flows.
8. Heol Las is subject to a 30mph speed limit, but because it does not provide for through traffic, speeds are likely to be lower than a standard road. In terms of the vision splay requirements set out in Manual for Streets, I therefore accept that there could be some relaxation. However, the visibility to the east of the access falls well below these standards and drivers emerging from the access would have inadequate warning of oncoming traffic and /or pedestrians. Although in the context of this existing built-up area three dwellings would not generate a significant volume of traffic, I consider that relative to the substandard visibility the increase would be material and would result in an unacceptable risk to highway safety.
9. The appeal property is overgrown and appears to have been vacant for some time. It is close to a habitat suitable for bats, and there are records of bats in the area. The likelihood of bats being present is therefore significant, but a survey to fully assess this potential is not available to me. A planning condition to require an ecological survey would not be appropriate because without the necessary information I do not know if all material considerations have been addressed. Similarly without an assessment to determine if the development can make adequate provision for surface water drainage in the light of constraints which include a risk of limestone cavities and associated swallow holes, I cannot be assured that it would be a safe and satisfactory form of development.
10. I conclude that whilst I have found no unacceptable harm to the character or appearance of the area, or residents' living conditions, there would be significant adverse effects on highway safety and ecology. Moreover, it has not been

demonstrated that the proposal would make adequate provision for drainage. In these respects, the proposal conflicts with the relevant objectives of Policies SP2 and ENV6 of the Bridgend Local Development Plan, and the Council's supplementary guidance SPG 19 'Biodiversity & Development'.

Other Matters

11. I do not dispute that the proposal would represent an efficient and sustainable use of previously developed land consistent with national policy. However this must be balanced with all other material considerations and in this case there are overriding factors that lead me to dismiss the appeal.
12. I note concerns relating to private access arrangements at the rear of the site, possible damage to a sewer pipe, and the relationship of the proposal to the keeping of poultry in a neighbouring garden. However, any disputes over a right of access or potential damage to pipes are civil matters that do not fall before me for jurisdiction in this case. Similarly, I have no reason to believe that the keeping of poultry on a domestic scale and in appropriate cared for conditions would give rise to an unacceptable relationship between dwellings.
13. In reaching my decision, I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's 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.

Conclusions

14. For the above reasons and having regard to all other matters raised, the appeal is dismissed.

P J Davies

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 11/12/17

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19/01/18

Appeal Decision

Site visit made on 11/12/17

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 19/01/18

Appeal Ref: APP/F6915/A/17/3186945

Site address: North Lodge, Court Colman, Pen-y-Fai, Bridgend CF31 4NG

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 Rylan Lopez against the decision of Bridgend County Borough Council.
 - The application Ref P/16/848/FUL, dated 10 October 2016, was refused by notice dated 13 April 2017.
 - The development proposed is change of use of single residential dwelling (C3) into a 10 No. bedroom assisted living care home (C2) and associated works including conversion of garage into 3 No. bedroom, existing annex into 2 No. self contained units, infill porch extension.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use of single residential dwelling (C3) into a 10 No. bedroom assisted living care home (C2) and associated works including conversion of garage into 3 No. bedroom, existing annex into 2 No. self contained units, infill porch extension at North Lodge, Court Colman, Pen-y-Fai, Bridgend CF31 4NG in accordance with the terms of the application, Ref P/16/848/FUL, dated 10 October 2016, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The appeal development has commenced in part and much of the alterations are complete. The appeal therefore seeks retrospective planning permission.

Main Issues

3. The main issues are the effect of the proposal on highway safety, and on the demand for travel having particular regard to local and national planning policies relating to sustainable development.

Reasons

Highway Safety

4. Access to the site is from two entrances, one that is intended to serve staff only although it also serves a farm gate, and one that would facilitate visitor, service and delivery traffic as well as other dwellings that lie beyond the site on a private lane.
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Access to both entrances is from a minor road, which is rural in nature and narrow and winding in parts.

5. In terms of vision splay requirements, the Council's accepted minimums are based on an 'x' distance of 2.4m from the nearside edge of the carriageway. Manual for Streets (MfS)¹ advises that a minimum figure of 2m may be considered in some very lightly trafficked and slow speed situations. The Council does not dispute that the road is lightly trafficked however it does not regard the measured speeds of between 20 and 30mph at the approaches to the junctions to be slow. Using information from 'Vehicle Speeds Compliance Statistics' produced by the Department for Transport, the Council considers 11 - 20mph to be representative of slow speeds. However, the government's statistics are intended to establish insights into the recorded speeds at which drivers choose to travel. The rationale for establishing a definition of slow speed in that case is to try and avoid erroneous data in certain situations such as congestion on motorways. It should not therefore be taken as a general indication of what comprises slow speeds in planning terms, which will usually depend on the individual circumstances of each case. I therefore give this little weight in the context of this appeal.
6. The road serving the junctions is subject to the national speed limit, however its winding rural nature does not allow for significant free or fast flow by vehicles or cyclists. In addition, traffic is single flow in places where the width of the road requires vehicles to slow down and pass with care. At the proposed staff entrance, the Council measures approach speeds in the order of 25mph southbound and 30mph northbound, and at the private lane entrance, 20mph southbound and 30mph northbound. From my own observations vehicles using the road were moving at a sensible speed and with due care given the highway geometry. In the circumstances I am satisfied that it would be appropriate to apply an 'x' distance of 2m from the nearside edge of the road in accordance with MfS. Even so, from what I saw, visibility is compromised at both entrances, particularly to the south. When measured in accordance with MfS, the entrances would in all likelihood fall below the vision splay guidelines. Furthermore the ability to improve vision is restricted either by land subject to a Tree Preservation Order or third party land, and there is little substantiated information before me to suggest that these are matters that could be resolved.
7. However, I must have regard to all material considerations and in this case there are mitigating factors. Firstly, the building has an existing lawful use as a large dwelling and it is accepted that there are permitted development rights for up to 6 persons in care living together as a household. The nature of the proposed use varies to these uses insofar as it would attract additional staff with transport requirements and includes alterations to the building, but in principle the lawful and permitted uses would in themselves generate traffic demands of their own. In addition, the extra traffic demands generated by 4 additional persons would be absorbed to some degree by shared and combined visits made by health professionals and delivery/service traffic.
8. I accept that 24 hour survey data on an isolated basis would not be a robust basis for establishing the extent of traffic movement generated by the proposal. Based on predicted staffing / visitor levels, the appellant's Transport Statement estimates some 36 daily vehicular movements arising from the proposal. The Council considers this to be a robust estimate and given the remoteness of the site has largely equated person

¹ Paragraph 7.7.7 Manual for Streets (2007)

and vehicle movements. Whilst I do not necessarily disagree with this approach, it is also the case that some trips would invariably be shared between visiting healthcare professionals for example. I therefore consider the suggested 36 movements to be a maximum figure. This compares with 20 person/vehicular movements arising from the formerly large dwelling. The increase in traffic from the development in isolation would therefore be material but relative to the light traffic and slow speeds, I would not directly associate this with any significant harm. In particular, the access from the private lane is used by some eight other dwellings with associated service and delivery traffic. Taking the existing use of the access as a whole, the increase in traffic arising from the development would be less material.

9. For both entrances there is ample turning space within the site to allow for forward ingress and egress and the staff entrance would be mostly limited to staff so that the amount of traffic using that entrance would be low. Although the absence of any recorded personal injury incidents in the vicinity of the site does not preclude more minor incidents or near misses, there is nonetheless no empirical evidence before me to indicate that this particular section of the road and the existing entrances are associated with any significant highway safety problems that would be exacerbated by the extra traffic arising from the proposal. In addition, given the nature of the use which would support persons with significant mobility problems, and the limited pedestrian facilities such as footpaths and lighting, the likelihood of any high pedestrian movements along the lane is small. The potential for vehicular / pedestrian conflict is therefore minimal.
10. The entrances would have to be used with care but taking all of the above into consideration, I am satisfied that the increase in traffic generated by the development could be safely accommodated and would not result in any significant additional risk to highway safety interests. The proposal therefore complies with Policy SP2 and SP3 of the Bridgend Local Development Plan (LDP).

Demand for Travel

11. Planning Policy Wales (PPW)² sets out Welsh Government's objectives to reduce the need to travel especially by private car. In this case, it is general consensus that the use of private transport is the most realistic and feasible option for the proposed use. Given the location of the site outside the settlement along country lanes that for the most part are lacking footpaths and lighting, I do not disagree. However, travel journeys to the nearby settlement would be short and the proposal relates to an existing residential site that would have previously generated traffic movements reliant on private means. Moreover the proposed use would provide a choice of semi-independent living in a tranquil and verdant setting that would contribute to the quality of life for its residents. This would be consistent with other sustainability objectives to achieve a healthier Wales. On balance, I find that the development would not be so unsustainable as to result in conflict with the objectives of PPW or LDP Policy SP2.
12. I note the appeals quoted by the Council but I do not know the full circumstances of two of those cases, albeit the Cefn Cribwr proposal would have appeared to have resulted in an absolute change to transport patterns, and the proposal in Shwt involved new dwellings. I do not find them comparable to this appeal which I have determined on its own merits.

Conditions

² Planning Policy Wales Edition 9 paragraph 8.1.5

13. I have had regard to the Council's suggested conditions. Given that the proposal would not generate any significant pedestrian flows, a condition to require road signage is not reasonable or necessary. The requirements to provide and maintain a vision splay at the northern site access is also not necessary in the light my conclusions on the highway safety implications of the development. A condition to require the provision of a marked out parking area is required to ensure orderly and safe parking within the site. A condition to require the provision of 2 cycle stands is necessary to promote sustainable transport choices. However, given the relatively small scale of the development and its acknowledged reliance on private transport, it would be unreasonable to require a travel plan.

Other Matters

14. My attention is drawn to a number of local concerns which include management issues relating to waste and electricity / water supply. I am also informed of restrictions in the property register. However these matters are civil matters which are not particularly relevant to the planning merits of this appeal. Although there are objections to the visual impact of the development, the external alterations are of a minor scale and have no significant adverse effect on the rural setting or adjacent historic park and garden.

15. In reaching my decision, I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's 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.

Conclusions

16. For the above reasons and having regard to all other matters raised I conclude that the appeal is allowed.

P J Davies

INSPECTOR

Schedule of Conditions

- 1) The development shall be carried out in accordance with the following approved plans and documents: Drawing Nos: HD1949 PL04 REV.D; HD1949 PL05 REV.A; HD1949 PL06 REV.B; HD1949 PL07 REV.A
- 2) Within 3 months of the date of this permission, the parking area shown on drawing no. HD1949 PL07 Rev A shall be implemented and demarcated in permanent materials and retained for parking purposes in perpetuity.
- 3) Within 6 months of the date of this permission, 2 cycle parking stands shall be provided in accordance with details that shall have been first submitted to and agreed in writing by the local planning authority. The stands shall be retained in accordance with the approved details for the duration of the development.