

## **APPEALS**

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

<b>CODE NO.</b>	D/20/3264696 (1906)
<b>APPLICATION NO.</b>	P/20/573/FUL
<b>APPELLANT</b>	MISS A GRABHAM
<b>SUBJECT OF APPEAL</b>	ATTIC CONVERSION TO PROVIDE BEDROOM TO INCLUDE DORMER TO SIDE AND REAR ELEVATIONS: 12B HIGH STREET, NANTYFFYLLON
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its siting, scale and design, constitutes an insensitive and unsympathetic form of development that would unbalance the pair of semi-detached properties to the detriment of the visual amenities of the locality. As such, the proposal is considered to be contrary to Policy SP2 of the Bridgend Local Development Plan (2013), Council's Supplementary Planning Guidance SPG02 - Householder Development (2008), Technical Advice Note 12 Design (2016) and advice contained within Planning Policy Wales (2018).

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<b>CODE NO.</b>	A/20/3264867 (1907)
<b>APPLICATION NO.</b>	P/20/206/FUL
<b>APPELLANT</b>	MR R LEWIS
<b>SUBJECT OF APPEAL</b>	RETENTION OF TEMPORARY LOG CABIN: LAND AT CWMDU LODGE, MAESTEG
<b>PROCEDURE</b>	HEARING
<b>DECISION LEVEL</b>	DELEGATED OFFICER

The application was refused for the following reasons:

1. The application submission fails to demonstrate that the rural enterprise has been planned on a sound financial basis and, therefore, the temporary log cabin amounts to an unjustified residential development in the countryside, contrary to Policy ENV1 - Development in the Countryside of the Bridgend Local Development Plan 2013 and advice in Planning Policy Wales Edition 10 (December, 2010) and Technical Advice Note 6 – Planning for Sustainable Rural Communities (July 2010).
2. The log cabin, by reason of its type, design, scale and location, represents an inappropriate form of development that would have a detrimental impact on the character and appearance of the open countryside and rural setting. The proposal is therefore contrary to Policies ENV1 and SP2 of the Bridgend Local Development Plan

(2013), and national guidance contained in Planning Policy Wales (Ed.9, November 2016) and Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

3. The log cabin, by reason of its siting, form and substandard access arrangements, represents an inappropriate form of development in a remote, unsustainable location that is not accessible by a range of different transport modes that will rely on the use of private motor vehicles to the detriment of highway and pedestrian safety, contrary to policy SP2(6) of the Bridgend Local Development Plan (2013), advice contained within Planning Policy Wales (Edition 10, December 2018) and Technical Advice Note, 18, Transport (2007).

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<b>CODE NO.</b>	A/20/3264867 (1908)
<b>APPLICATION NO.</b>	P/20/206/FUL
<b>APPELLANT</b>	MR R LEWIS
<b>SUBJECT OF APPEAL</b>	UNUATHORISED LOG CABIN: LAND ADJACENT TO ST JOHNS COLLIERY, MAESTEG
<b>PROCEDURE</b>	HEARING
<b>DECISION LEVEL</b>	ENFORCEMENT NOTICE

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

<b>CODE NO.</b>	A/20/3258047 (1900)
<b>APPLICATION NO.</b>	P/20/310/FUL
<b>APPELLANT</b>	MR N CAREY
<b>SUBJECT OF APPEAL</b>	DEMOLITION OF 1.5M HIGH & 2.7M LONG STONE WALL ON RIGHT HAND SIDE OF HOUSE; FORMATION OF DRIVEWAY & CROSSOVER; REBUILD STONE WALL ON LEFT HAND SIDE OF HOUSE AT 6.29M IN LENGTH & REPLACE WOODEN GATES WITH WROUGHT IRON GATES: TAN Y BRYN, DINAM STREET, NANTYMOEL
<b>PROCEDURE</b>	WRITTEN REPS
<b>DECISION LEVEL</b>	DELEGATED OFFICER
<b>DECISION</b>	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 A**

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**CODE NO.** E/20/3258043 (1901)  
**APPLICATION NO.** P/20/311/CAC

**APPELLANT** MR N CAREY

**SUBJECT OF APPEAL** CONSERVATION AREA CONSENT FOR DEMOLITION OF 1.5M HIGH & 2.7M LONG STONE WALL ON RIGHT HAND SIDE OF HOUSE; FORMATION OF DRIVEWAY & CROSSOVER; REBUILD STONE WALL ON LEFT HAND SIDE OF HOUSE AT 6.29M IN LENGTH & REPLACE WOODEN GATES WITH WROUGHT IRON GATES:  
TAN Y BRYN, DINAM STREET, NANTYMOEL

**PROCEDURE** WRITTEN REPS

**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 A**

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**CODE NO.** A/20/3259575 (1902)  
**APPLICATION NO.** P/20/230/FUL

**APPELLANT** MR S DUNLOP

**SUBJECT OF APPEAL** DEMOLITION OF EXISTING GARAGE AND ERECTION OF A TWO BEDROOM SINGLE STOREY DWELLING  
48 PARK STREET, BRIDGEND

**PROCEDURE** WRITTEN REPS

**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**

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**CODE NO.** X/20/3259517 (1903) **APPEAL A**  
**APPLICATION NO.** P/20/365/LAE

**APPELLANT** MRS M SORA

**SUBJECT OF APPEAL** CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OF THE GARAGE AS A NAIL SALON  
19 HEOL STRADLING, COITY

**PROCEDURE** WRITTEN REPS

**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 C**

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**CODE NO.** A/20/3259511 (1904) **APPEAL B**  
**APPLICATION NO.** P/20/152/FUL

**APPELLANT** MRS M SORA

**SUBJECT OF APPEAL** GARAGE CONVERSION/CHANGE OF USE TO NAIL SALON:  
19 HEOL STRADLING, COITY

**PROCEDURE** WRITTEN REPS

**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**

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**RECOMMENDATION**

That the report of the Corporate Director Communities be noted.

**Janine Nightingale**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers** (see application reference number)



## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/11/20

gan P J Davies, BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15<sup>th</sup> December 2020

## Appeal Decision

Site visit made on 17/11/20

by P J Davies, BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 15<sup>th</sup> December 2020

**Appeal Ref: APP/F6915/A/20/3258047**

**Site address: Tan y Bryn, Dinam Street, Nantymoel, Bridgend CF32 7NN**

**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 Norman Carey against the decision of Bridgend County Borough Council.
- The application Ref: P/20/310/FUL dated 28 April 2020, was refused by notice dated 17 August 2020.
- The development is described as '(1) the demolition of a 1.5 metre high by 2.7 metre long stone wall on the right hand side of the house, and building of driveway in block paving with crossover. The rebuilding of the stone wall on the left hand side of the house in original materials and height but longer at 6.29 metre long to attach to an existing stone wall together with original metal gate. (2) the removal of recently installed wooden gates on driveway, and the installation of wrought iron gates in the style use in my road. (3) the works would be in keeping and would enhance the character of the conservation area'.

**Appeal Ref: APP/F6915/E/20/3258043**

**Site address: Tan y Bryn, Dinam Street, Nantymoel, Bridgend CF32 7NN**

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

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by Mr Norman Carey against the decision of Bridgend County Borough Council.
- The application Ref: P/20/311/CAC dated 28 April 2020, was refused by notice dated 17 August 2020.
- The demolition is described as '(1) the demolition of a 1.5 metre high by 2.7 metre long stone wall on the right hand side of the house, and building of driveway in block paving with crossover. The rebuilding of the stone wall on the left hand side of the house in original materials and height but longer at 6.29 metre long to attach to an existing stone wall together with original metal gate. (2) the removal of recently installed wooden gates on driveway, and the installation of wrought iron gates in the style use in my road. (3) the works would be in keeping and would enhance the character of the conservation area'.

## Decision

1. The appeals are dismissed.

## **Main Issue**

2. The main issue for both appeals is the effect on the character and appearance of the Nantymoel Conservation Area.

## **Reasons**

3. The appeal property lies firmly within the conservation area and is part of a consistent street scene where there is a distinct regularity to the style, age and external finishes of buildings and street boundaries. Nantymoel is a former mining community and the uniform appearance and layout of the housing pattern within this part of the conservation area is a defining element of its heritage and character. Natural stone is a prevailing feature that makes a strong contribution to the visual rhythm and historic character. In particular, the stone boundary walls often provide a consistent link between terraces to create a harmonious and cohesive street scene. There are local incidences of more contemporary boundaries such as timber panels, but in recognition that these types of materials are starting to change the character of the street scene, the Council's conservation area appraisal recommends that stone boundary walls need to be protected, and the use of other materials should be avoided or limited.
4. The demolition of the wall to the right side of the property together with the wooden gates were subject to recent planning and conservation area consent appeals<sup>1</sup> seeking retrospective permission, which were dismissed. The current appeals also seek retrospective permission for the demolition of the wall but differ insofar as they involve the replacement of the unauthorised wooden gates with wrought iron gates and aim to provide betterment by rebuilding a stone wall to the left side of the property.
5. It is indicated that the proposed gates would be the same as those at the neighbouring property which are low height, somewhat contemporary in nature with ornate detailing. Whilst this would be an improvement on the taller, solid and prominent wooden gates, it remains the case that the continuity of the stone wall frontage would be interrupted by a significant break. This would have an adverse effect on the visual harmony of the street scene and would be in clear contravention of the Council's aim to protect stone boundary walls as an important element of the conservation area.
6. The proposal includes the rebuilding of a stone wall to the left side of the property, across a small hardstand area. However, the presence of an existing part stone wall across the back of the hardstand already forms an effective visual link with the remainder of the stone wall that extends to the Ogmores Terrace boundary. A wall in front of this would have little compensatory effect and would not outweigh the harm that I have described.
7. I conclude that the development fails to preserve the character or appearance of the Nantymoel Conservation Area contrary to Policies SP2 and SP5 of the Bridgend Local Development Plan.
8. I have had regard to all the other matters raised, some of which have been addressed in the previous appeals. There is nothing that leads me to alter my decision.
9. I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015 (WBG Act). I consider that this decision is in

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<sup>1</sup> APP/F6915/E/20/3244575 and APP/F6915/A/20/3245217

accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives as required by section 8 of the WBFG Act

**Conclusions**

10. For the above reasons the appeals are dismissed.

*P J Davies*

**INSPECTOR**



## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 17/11/20

gan **P J Davies, BSc (Hons) MA MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 15<sup>th</sup> December 2020**

## Appeal Decision

Site visit made on 17/11/20

by **P J Davies, BSc (Hons) MA MRTPI**

**an Inspector appointed by the Welsh Ministers**

**Date: 15<sup>th</sup> December 2020**

**Appeal Ref: APP/F6915/A/20/3258047**

**Site address: Tan y Bryn, Dinam Street, Nantymoel, Bridgend CF32 7NN**

**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 Norman Carey against the decision of Bridgend County Borough Council.
- The application Ref: P/20/310/FUL dated 28 April 2020, was refused by notice dated 17 August 2020.
- The development is described as '(1) the demolition of a 1.5 metre high by 2.7 metre long stone wall on the right hand side of the house, and building of driveway in block paving with crossover. The rebuilding of the stone wall on the left hand side of the house in original materials and height but longer at 6.29 metre long to attach to an existing stone wall together with original metal gate. (2) the removal of recently installed wooden gates on driveway, and the installation of wrought iron gates in the style use in my road. (3) the works would be in keeping and would enhance the character of the conservation area'.

**Appeal Ref: APP/F6915/E/20/3258043**

**Site address: Tan y Bryn, Dinam Street, Nantymoel, Bridgend CF32 7NN**

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

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
- The appeal is made by Mr Norman Carey against the decision of Bridgend County Borough Council.
- The application Ref: P/20/311/CAC dated 28 April 2020, was refused by notice dated 17 August 2020.
- The demolition is described as '(1) the demolition of a 1.5 metre high by 2.7 metre long stone wall on the right hand side of the house, and building of driveway in block paving with crossover. The rebuilding of the stone wall on the left hand side of the house in original materials and height but longer at 6.29 metre long to attach to an existing stone wall together with original metal gate. (2) the removal of recently installed wooden gates on driveway, and the installation of wrought iron gates in the style use in my road. (3) the works would be in keeping and would enhance the character of the conservation area'.

## Decision

1. The appeals are dismissed.



## **Main Issue**

2. The main issue for both appeals is the effect on the character and appearance of the Nantymoel Conservation Area.

## **Reasons**

3. The appeal property lies firmly within the conservation area and is part of a consistent street scene where there is a distinct regularity to the style, age and external finishes of buildings and street boundaries. Nantymoel is a former mining community and the uniform appearance and layout of the housing pattern within this part of the conservation area is a defining element of its heritage and character. Natural stone is a prevailing feature that makes a strong contribution to the visual rhythm and historic character. In particular, the stone boundary walls often provide a consistent link between terraces to create a harmonious and cohesive street scene. There are local incidences of more contemporary boundaries such as timber panels, but in recognition that these types of materials are starting to change the character of the street scene, the Council's conservation area appraisal recommends that stone boundary walls need to be protected, and the use of other materials should be avoided or limited.
4. The demolition of the wall to the right side of the property together with the wooden gates were subject to recent planning and conservation area consent appeals<sup>1</sup> seeking retrospective permission, which were dismissed. The current appeals also seek retrospective permission for the demolition of the wall but differ insofar as they involve the replacement of the unauthorised wooden gates with wrought iron gates and aim to provide betterment by rebuilding a stone wall to the left side of the property.
5. It is indicated that the proposed gates would be the same as those at the neighbouring property which are low height, somewhat contemporary in nature with ornate detailing. Whilst this would be an improvement on the taller, solid and prominent wooden gates, it remains the case that the continuity of the stone wall frontage would be interrupted by a significant break. This would have an adverse effect on the visual harmony of the street scene and would be in clear contravention of the Council's aim to protect stone boundary walls as an important element of the conservation area.
6. The proposal includes the rebuilding of a stone wall to the left side of the property, across a small hardstand area. However, the presence of an existing part stone wall across the back of the hardstand already forms an effective visual link with the remainder of the stone wall that extends to the Ogmores Terrace boundary. A wall in front of this would have little compensatory effect and would not outweigh the harm that I have described.
7. I conclude that the development fails to preserve the character or appearance of the Nantymoel Conservation Area contrary to Policies SP2 and SP5 of the Bridgend Local Development Plan.
8. I have had regard to all the other matters raised, some of which have been addressed in the previous appeals. There is nothing that leads me to alter my decision.
9. I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015 (WBG Act). I consider that this decision is in

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<sup>1</sup> APP/F6915/E/20/3244575 and APP/F6915/A/20/3245217

accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives as required by section 8 of the WBFG Act

**Conclusions**

10. For the above reasons the appeals are dismissed.

*P J Davies*

**INSPECTOR**



## Penderfyniad ar yr Apêl

Ymweliad safle a wnaed ar 24/11/20

gan Hywel Wyn Jones, BA (Hons) BTP  
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22<sup>nd</sup> December 2020

## Appeal Decision

Site visit made on 24/11/20

by Hywel Wyn Jones, BA (Hons) BTP  
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22<sup>nd</sup> December 2020

**Appeal A ref: APP/F6915/X/20/3259517**

**Site address: 19 Heol Stradling, Bridgend, CF35 6AN**

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

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mrs Mihaela Roxana Sora against the decision of Bridgend County Borough Council.
- The application Ref: P/20/365/LAE dated 28 May 2020, was refused by notice dated 6 August 2020.
- The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
- The use for which a certificate of lawful use or development is sought is the existing use of garage as a nail salon.

**Appeal B ref: APP/F6915/A/20/3259511**

**Site address: 19 Heol Stradling, Bridgend, CF35 6AN**

**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 Mihaela Roxana Sora against the decision of Bridgend County Borough Council.
- The application Ref: P/20/152/FUL dated 14 February 2020, was refused by notice dated 1 May 2020.
- The development is a partial garage conversion and change of use into nail salon.

### Appeal A Decision

1. The appeal is dismissed.

### Appeal B Decision

2. The appeal is allowed and planning permission is granted for a partial garage conversion and change of use into a nail salon at 19 Heol Stradling, Bridgend, CF35 6AN in accordance with the terms of the application Ref: P/20/152/FUL dated 14 February 2020, subject to the conditions in the attached Schedule.

## **Background Matters**

3. The appeal property comprises a detached dwelling and part of a garage outbuilding shared with its neighbour. It occupies a corner plot on the junction of Heol Stradling and Ffordd y Celyn. The former connects the large Parc Derwen development, which is mostly of housing, with the wider highway network. The latter serves as a spine road for the western portion of that development.
4. The property has a rear and side garden partly within which lies the garage. Two parking spaces serving the property separate it from a rear access road to a communal parking area which is enclosed by the rear boundaries of surrounding houses. A sign reserves one of the 2 spaces for use by customers to the salon, who would access the salon via the property's rear gate and garden path. The other space, it is explained, is used by the appellant and her partner to park their car.
5. Some two-thirds of the single garage has been converted to provide the nail salon. The room has been fully finished, decorated and furnished and is accessed via a side door from the rear garden. It is served by a window on the rear elevation facing the house. An internal doorway in a new partition wall provides access to the retained garage space that continues to be used for the storage of domestic items and which is also accessed by the original up and over garage door.
6. There is no dispute that the physical works to the garage, which prevents its use for car parking, is not a breach of the terms of the planning permission which authorised the dwelling. The appellant explains that one of the 2 parking spaces serving the property was created as additional provision to the original layout. A sign is displayed identifying its availability for customer use.
7. The nail salon is run by the appellant who lives at the property with her family. There are no other employees. The room contains a pair of facing chairs separated by a treatment table and a tall clear screen, shelving displaying a range of nail treatment products, a treatment chair with a foot rest, a pedestal sink, and, close to the entrance, there are two small lounge chairs and a low table which has the appearance of a waiting area for customers.

## **APPEAL A**

### **Reasons**

8. The appellant explains that she organises bookings to avoid more than one customer being present to avoid attracting more than one parked car at any time. As appointments are hourly there are 2 car movements per hour during operating hours which are from 9:00 to 17:00, weekdays. I am also mindful that, for much of the time the business has been operating, it has done so in the context of Covid-19 social distancing and other restrictions which may serve to limit the scale of activities.
9. Taken together limitations on the salon use practised by the appellant, including the fact that she is the sole worker and the limitations on customer numbers and opening hours, has the potential to significantly curtail the scale of salon operations that could be undertaken within the space available. Whilst a lawful certificate can specify the limits of a use which is confirmed to be lawful it cannot impose conditions. As such I cannot rely on all the present limitations controlling the operation being exercised should the appeal be successful, unless any intensification reaches the point where it may be regarded as a material change.

10. The appellant indicates that the room is used for the storage of domestic items when not in active salon use, and I noted a toddler's tricycle in the room during my visit. However, given the daily use of the salon by customers it seems to me that any occasional domestic storage that takes place at other times does not materially alter the use of the room as a salon.
11. A dedicated room, laid out specifically for its commercial use to accommodate visiting members of the public, is not of a nature or scale that can reasonably be described as a purpose which is incidental to the enjoyment of the dwelling/house as such.
12. As the appellant points out uses such as childminding, hairdressing, dressmaking or music teaching, may be capable of being undertaken within dwellings without requiring planning permission, however that will depend on the case specific circumstances. In this case the use takes place within a room created, laid out and, to all intents and purposes, reserved specifically for that purpose. It generates at least 2 car movements every hour throughout the working day when car trips associated with the property would otherwise be expected to be very much lower. It is of such scale and nature as to constitute the introduction of a second primary use resulting in a mixed-use property. That change of use, as a matter of fact and degree, has so altered the character of the premises as to be a material change, which falls outside its permitted lawful use.
13. The appellant draws attention to Welsh Government guidance, 'Planning permission: working from home'. Whilst I have had regard to it, as it is intended to provide general guidance to householders rather than providing technical advice or legal authority, I do not rely on it.

### **Appeal A Conclusion**

14. For the reasons given above I conclude that the Council's refusal to grant a certificate of lawful use in respect of a nail salon was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

### **APPEAL B**

#### **Preliminary Matters**

15. The description of development in the above banner heading is taken from the Council's decision notice and has been adopted by the appellant. I consider that it is a more precise description than that set out on the application form. As the salon is in operation I have dealt with the appeal as seeking retrospective planning permission.

#### **Main Issue**

16. The main issue in Appeal B is the effect of the development on highway safety.

#### **Reasons**

17. In response to the Council's concerns relating to car parking the appellant explains that the family presently has one car. However, taking into account the Council's Supplementary Planning Guidance 17: Parking Guidelines, I accept that it is reasonable to assume that they may have more than one car in the future. The Council maintains that the scheme is contrary to its Parking Guidelines but provides no evidence of the standard which is applicable in this case. It seems to me that the guidance is silent on a mixed-use scheme of this nature.

18. The appellant maintains that the dedicated customer parking space is always available for every customer. Nonetheless, it seems to me that there is a real possibility that on occasions there is an overlap when one customer arrives before another has departed.
19. Taking into account the foregoing I acknowledge that the salon use will at times give rise to overspill parking demand. That demand is not likely to be more than one car for any significant time.
20. The proximity of communal parking, comprising designated parking for 11 surrounding dwellings as well as 5 visitor spaces, is readily apparent on approaching the site. This means that customers are likely to choose such a provision rather than park on the street, particularly as they will be visiting for an hour or so and as such can generally be expected to park in a considerate manner.
21. The Council suggests that its photographs of vehicles parked on a footway near the site demonstrates that visitor spaces were full. It is not clear whether this is an assumption or based on observation. It describes the situation as typical, but there is no evidence of any other similar incidents. During my visit I saw a vehicle parked on the same section of footway despite all communal parking spaces being unoccupied.
22. The appellant's survey evidence, which extends from early morning to late evening over a full week, indicates that there is always ample capacity within this parking area. In response, the Council suggests that this should be regarded as unreliable as it has not been prepared by an objective third party, without offering any survey analysis of its own. The survey evidence is consistent with my observations during my visit, and I have no reason to dispute its veracity, noting that the visitor space provision is well above the minimum set out in the Parking Guidelines.
23. On the main issue I do not consider that the salon gives rise to indiscriminate parking that impedes pedestrians or otherwise compromises highway safety. Thus, the scheme does not give rise to any conflict with Planning Policy Wales or policies SP2 or PLA11 of the Bridgend Local Development Plan (LDP).
24. The delegated officer's report suggests that increased traffic associated with the use has an anti-social impact on a residential area. However, the resultant modest increase in traffic over pre-existing levels means that any effect is likely to be imperceptible. Any potential disturbance to neighbours can be mitigated through the conditions suggested by the Council, subject to refining some wording and amending opening hours to allow an earlier start as suggested by the appellant.

### **Appeal B Conclusion**

25. The development provides a service that is sustainably and conveniently located to residents of this large new housing estate. It operates without harming the safety of pedestrians or other highway users. I have taken into account all other matters raised in reaching a finding that the scheme is acceptable and thus I shall allow the appeal.
26. In reaching my decision, I have taken into account 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 the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

*Hywel Wyn Jones*

INSPECTOR

## Appeal B Schedule of Conditions

- 1) The nail salon hereby approved shall only be undertaken within the room identified for such use on the submitted 'Floor Plan' date stamped 19 February 2020.

*Reason: To protect the residential amenity of neighbours in accordance with LDP Policy SP2.*

- 2) The garage shall only be used for a purpose incidental to the enjoyment of the dwelling/house as such or as a nail salon and for no other purposes including any other purpose in Class A1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order.

*Reason: To protect the residential amenity of neighbours in accordance with LDP Policy SP2.*

- 3) The use hereby permitted shall only be open to customers between the following times: Monday to Saturday between 8:45 and 19:00 and Sundays and Bank Holidays between 10:00 and 15:00.

*Reason: To protect the residential amenity of neighbours in accordance with LDP Policy SP2.*

- 4) The nail salon shall be operated by only one person and who must be a resident of 19 Heol Stradling.

*Reason: To protect the residential amenity of neighbours in accordance with LDP Policy SP2.*

- 5) The nail salon shall be run by appointment only, and no walk-in custom shall be allowed at any time.

*Reason: To protect the residential amenity of neighbours in accordance with LDP Policy SP2.*