

APPEALS

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

CODE NO.	A/21/3266841 (1910)
APPLICATION NO.	P/20/652/RLX
APPELLANT	MR & MRS N HEARD
SUBJECT OF APPEAL	REMOVE CONDITIONS 1 & 3 OF P/20/299/FUL 10 WOODSIDE AVENUE, LITCHARD
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The conditions relate to a temporary grant of planning permission and removal of conditions 1 and 3 of P/20/299/FUL would result in a lack of control, evidence and information being available to enable the Local Planning Authority to adequately review the impact the development on the amenities reasonably expected to be enjoyed by occupiers of nearby residential properties and the area at the end of the period of temporary consent. As such the proposal is contrary to Policy SP2 (12) of the Local Development Plan and the Council's Supplementary Planning Guidance SPG02: Householder Development.

CODE NO.	A/21/3267243 (1911)
APPLICATION NO.	P/20/703/OUT
APPELLANT	MR P SIMKINS
SUBJECT OF APPEAL	ERECTION OF ONE DWELLING LAND TO THE REAR OF 30/32 HIGH STREET, OGMORE VALE
PROCEDURE	WRITTEN REPRESENTATION
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed development, by reason of its siting and scale on this constrained and steep site, would result in an undesirable and cramped form of development, which would only afford an unacceptably poor standard of residential amenity to the future occupants, by virtue of a lack of car parking and useable garden space 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 (2018).
2. The proposed development, by reason of its siting and scale, would result in an unacceptable loss of privacy to the occupiers of 2 & 3 Glyn Street by way of overlooking windows and the occupiers of 1 Filas Wessex by way of overlooking from the elevated rear gardens. Such an arrangement would be 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 (2018).

3. The proposed development, by reason of its siting and scale, would constitute overdevelopment of the site as it has not been demonstrated that there would be sufficient on-site car parking provision for the future occupiers of the development. The development would result in on-street parking, a subsequent reduction in the trafficable carriageway width to a single lane and the use of the footway for the parking of vehicles which will be detrimental to highway and pedestrian safety and contrary to Policies SP2 and PLA11 of the Bridgend Local Development Plan and Supplementary Planning Guidance 17: Parking Guidelines.

CODE NO.	H/20/3265107 (1912)
APPLICATION NO.	A/20/11/ADV
APPELLANT	MR G JENKINS
SUBJECT OF APPEAL	DIGITAL ROTATING SCREEN TO SHOW MULTIPLE ADVERTS LOCATED ON SIDE OF 91 NOLTON STREET, BRIDGEND
PROCEDURE	ADVERT APPEAL
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed advertisement, by reason of its size, location and the changing/rotating nature of the digital display, would be detrimental to the safety of pedestrian and vehicular traffic using the adjoining highways at this busy urban junction, contrary to Policy SP2 of the Bridgend Local Development Plan.

CODE NO.	D/21/3268724 (1913)
APPLICATION NO.	P/20/100/FUL
APPELLANT	MR A HILL
SUBJECT OF APPEAL	FRONT & REAR EXTENSIONS, REMOVAL OF PITCHED ROOF & REPLACEMENT WITH FLAT ROOFED SECOND FLOOR ACCOMMODATION WOODCLIFFE, RHYCH AVENUE, PORTHCAWL
PROCEDURE	HOUSEHOLDER APPEAL
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed development, by reason of its design, scale and materials, represents an excessive, incongruous and overly prominent form of development that will have a detrimental visual impact on the immediate context of the site and which is out of keeping with the character and appearance of this coastal location, contrary to Policy SP2 of the Local Development Plan (2013), Council's Supplementary Planning Guidance Note 02 Householder Development (2008), and advice contained within Planning Policy Wales (Edition 10, December 2018) and Technical Advice Note 12: Design (2016).
2. The proposed development, by reason of its design, scale, siting and materials, would be overbearing and have a detrimental impact on the level of light experienced by the

neighbouring occupier (Swn-yr-Don) which would represent an un-neighbourly form of development, contrary to Policy SP2 of the Local Development Plan (2013), Council's Supplementary Planning Guidance Note 02 Householder Development (2008) and advice contained within Planning Policy Wales (Edition 10, December 2018).

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

CODE NO. A/20/3261549 (1905)
APPLICATION NO. P/20/359/FUL

APPELLANT R DERRICK

SUBJECT OF APPEAL CONVERSION OF EXISTING HOUSE IN MULTIPLE OCCUPATION (HMO) IN TO 2 TWO BED FLATS AND 1 STUDIO FLAT
147 NEW ROAD, PORTHCAWL

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**

CODE NO. D/20/3264696 (1906)
APPLICATION NO. P/20/573/FUL

APPELLANT MISS A GRAHAM

SUBJECT OF APPEAL ATTIC CONVERSION TO PROVIDE BEDROOM TO INCLUDE DORMER TO SIDE AND REAR ELEVATIONS
12B HIGH STREET, MAESTEG

PROCEDURE HOUSEHOLDER

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**

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 14/12/20

gan Nicola Gulley, MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 19th January 2021

Appeal Decision

Site visit made on 14/12/20

by Nicola Gulley, MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 19th January 2021

Appeal Ref: APP/F6915/A/20/3261549

Site address: 147 New Road, Porthcawl, Bridgend, CF36 5DD

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 R Derrick against the decision of Bridgend County Borough Council.
 - The application Ref: P/20/359/FUL dated 25 May 2020, was refused by notice dated 16 September 2020.
 - The development proposed is the change of use from an HMO to 2no. two-bed flats and 1 no. one-bed studio.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of the proposed development on parking provision and highway and pedestrian safety.

Preliminary Matters

3. The appellant contends that the dwelling has been used as a 6-bedroom HMO for a period in excess of 5 years. However, no substantive evidence has been presented to support this assertion. In the absence of such evidence, I must conclude that, for the purposes of this appeal, the use of the property is that of a dwelling occupied by a single person or household.

Reasons

4. The appeal site is located in a predominantly residential part of Porthcawl and within close proximity to sea front attractions, shops and services. The site comprises a vacant mid-terrace property which I am advised is a house in multiple occupation (HMO). To the rear of the appeal dwelling is a modest sized garden which is enclosed on all sides by boundary walls. The highway immediately adjacent to the appeal site, and in much of the surrounding area, is subject to on-street parking restrictions.
 5. Policies SP2 and PLA 11 of the Bridgend Local Development Plan (2013) seek, amongst other things, to ensure that proposals for new development contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located and provide appropriate levels of parking. Additional guidance is contained in Supplementary Planning Guidance Note 17: Parking Standards (SPG),
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which requires the provision of 4 no. off-street parking spaces to serve the proposed developments.

6. The development proposes the conversion of the appeal dwelling into 2 no. two-bed flats and 1 no. one-bed studio. No provision has been made for off-street parking within the curtilage of the site.
7. The parties agree that because of the location of the appeal dwelling, enclosed on all sides by residential properties, no opportunity exists for the appellant to provide off-street parking within the curtilage of the site and that the proposed development would be reliant on the availability of on-street provision.
8. The appellant contends that the appeal dwelling is in a sustainable location and the absence of dedicated parking provision to serve the property has not resulted in additional demand for on-street parking or had an adverse impact on highway or pedestrian safety in the locality. For its part the Council maintains that there is no established on-street parking provision associated with the appeal dwelling and the proposed development would result in additional demand for parking along New Road to the detriment of highway and pedestrian safety. In support of this assertion the Council has submitted evidence which indicates that the area surrounding the appeal dwelling is subject to high instances of illegal parking and that a highway scheme has recently been implemented close to the site in order to address safety concerns.
9. With regard to the location of the appeal dwelling, whilst I agree that the property is in a sustainable location, I am conscious that the shops and services in the locality are limited in their range and are unlikely to meet all the day to day needs of future residents. In terms of on-street parking, although I note the appellant's comments about the adequacy of spaces, I am conscious that no substantive survey information has been submitted to support this assertion. Moreover, based on my observations and the evidence presented by the Council, I consider that the residential streets surrounding the appeal site are subject to high levels of demand for on-street parking and that any additional requirements, such as those necessary to meet the needs of the future residents of the proposed development, would be likely to have an adverse impact on parking provision in the locality and, as a consequence, have a detrimental effect on highway and pedestrian safety. As such I consider that the proposed development would be contrary to the objectives of Policies SP2 and PLA 11 of the LDP and the Parking Standards SPG.

Conclusions

10. 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.
11. I have also had regard to all the matters raised in support of the scheme. However, none of these factors are sufficient to alter my overall conclusions that the proposed development would have a harmful impact on the provision of parking and highway and pedestrian safety.
12. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Gulley, Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 26/01/21

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

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 16th February 2021

Appeal Decision

Site visit made on 26/01/21

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

an Inspector appointed by the Welsh Ministers

Date: 16th February 2021

Appeal Ref: APP/F6915/D/20/3264696

Site address: 12B High Street, Nantyllyllon, Maesteg, CF34 0BW

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 Miss A Grabham against the decision of Bridgend County Borough Council.
- The application Ref: P/20/573/FUL dated 3 August 2020, was refused by notice dated 20 October 2020.
- The development proposed is attic conversion to provide bedroom to include dormer to side and rear elevations.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is one half of a pair of semi-detached dwellings that occupies an open elevated position adjacent to a junction and facing towards a principal route. Whilst there is some diversity to the appearance of dwellings nearby, the housing pattern is generally laid out in groups of buildings that have a consistent and simple architectural style. This creates a balanced impression to the local street scene. As part of a distinctly uniform pair of buildings with a strong symmetry derived from the matching 2-storey front bay projections and hipped end roofs, the appeal property makes a positive contribution to the area's local character and distinctiveness.
4. The Council does not object to the rear dormer, and as this would form a small subordinate feature that for the most part would be contained within the roof plane, I do not disagree. However, the proposed side dormer would disproportionately lengthen the roof ridge to one side of the semi-detached pair and introduce a gable end feature that would contrast awkwardly with the otherwise balanced hipped roof. Consequently, it would fundamentally change the form of the roof and cause a significant visual imbalance to the appearance of the pair. Moreover, in this prominent position, these unacceptable effects would be readily apparent.

5. I conclude that the design and siting of the proposal would cause material harm to the character and appearance of the area. This would be contrary to Policy SP2 of the Bridgend Local Development Plan which seeks design of the highest quality possible whilst respecting and enhancing local character and distinctiveness. For the same reasons, the proposal would also run counter to the advice in the Council's supplementary guidance, 'SPG02 Householder Development'.
6. My attention is drawn to other schemes elsewhere in the County Borough which the appellant says are similar and larger, albeit no specific details are provided. In any event, these are a considerable distance away and do not have any bearing on the individual context of the appeal proposal which I have considered on its own merits. The appellant is prepared to provide details of other similar projects, but apart from not being able to accept further evidence at this stage of the appeal, I saw nothing in the vicinity of the appeal site that has had any significant influence on the context and setting that I have described to warrant the identified harm.
7. 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.
8. For the above reasons, and having regard to all matters raised, the appeal is dismissed.

P J Davies

INSPECTOR