

APPEALS

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

APPEAL NO.	CAS-02006-Q7B8M6 (1953)
APPLICATION NO.	A/22/8/ADV
APPELLANT	WILDSTONE ESTATES LIMITED
SUBJECT OF APPEAL	FREESTANDING HOARDING SIGN (48 SHEET) 6M X 3M: LAND OPPOSITE 65 BETHANIA STREET (SOUTH OF SCOUT HALL), MAESTEG
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed advertisement, by reason of its size, siting and design would constitute an unduly prominent and visually obtrusive feature that would contribute to unwanted visual clutter in the street scene to the detriment of the visual amenities of the locality, contrary to the aims of Planning Policy Wales (2021) and Policy SP2 of the Bridgend Local Development Plan (2013).

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

APPEAL NO.	CAS-01627-Y0D5V5 (1947)
APPLICATION NO.	P/21/493/FUL
APPELLANT	MR T SMITH
SUBJECT OF APPEAL	RETENTION OF RAISED PATIO ABOVE SHED AND RAISED PATIO WITH BALUSTRADE AND RELOCATED STEPS: 22 CHESTNUT DRIVE, PORTHCAWL
PROCEDURE	HOUSEHOLDER
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 A**

APPEAL NO.	CAS-01807-Z5P1R1 (1948)
APPLICATION NO.	P/21/1087/FUL
APPELLANT	MR T SMITH

SUBJECT OF APPEAL REMOVE GARAGE/UTILITY; TWO STOREY SIDE EXTENSION;
SINGLE STOREY PORCH/WC/PLAYROOM EXTENSION TO
FRONT; HARDSTANDING TO FRONT: 8 RHYD Y NANT, PENCOED

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**

APPEAL NO. CAS-01573-X1N9P0 (1949)
APPLICATION NO. P/21/523/FUL

APPELLANT A FRANCIS (DANCE)

SUBJECT OF APPEAL RETENTION OF FENCE: 8 WILLESDEN ROAD, BRIDGEND

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 C**

Withdrawal of Enforcement Notice:

APPLICATION NO. ENF/186/20/ACK

APPELLANT MR DARREN JONES

SUBJECT OF APPEAL UNAUTHORISED USE FOR STORAGE/LAND REPROFILING
FORMER PUMP HOUSE, HEOL FAEN, MAESTEG

PROCEDURE ENFORCEMENT

DECISION LEVEL DELEGATED OFFICER

DECISION FURTHER INFORMATION HAS COME TO LIGHT AND THE
ENFORCEMENT NOTICE HAS BEEN WITHDRAWN WITH THE
APPEAL NOW BEING CLOSED WITH NO FURTHER ACTION

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 27/5/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 21/06/2022

Appeal Decision

Site visit made on 27/5/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 21/06/2022

Appeal Ref: CAS-01627-Y0D5V5

Site address: 22 Chestnut Drive, Newton, Porthcawl CF36 5AD

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 Tony Smith against the decision of Bridgend County Borough Council.
- The development is raised patio above shed and raised patio with balustrade and relocated steps.

Decision

1. The appeal is allowed, and planning permission is granted for a raised patio above shed and raised patio with balustrade and relocated steps at 22 Chestnut Drive, Newton, Porthcawl CF36 5AD in accordance with the planning application, Ref P/21/493/FUL dated 23 May 2021, subject to the following condition:
 1. Within one month of the date of this permission, details of a 1.8 metre high obscurely glazed screen to be erected along the western boundary of the patio, and a 1.2 metre high obscurely glazed screen to be erected along the southern boundary of the patio, shall be submitted to and agreed in writing by the local planning authority. The screening shall be carried out in accordance with the approved details within two months of the date of the approval of the details by the local planning authority and shall thereafter be retained in perpetuity.

Procedural Matters

2. Notwithstanding the description given in the application form, I have adapted the description used in the Council's decision notice as it is more concise. The patio is largely complete, and I have therefore considered the appeal on the basis it seeks retrospective planning permission.

Main Issue

3. This is the effect of the development on the living conditions of the occupants of No 20 Chestnut Drive.

Reasons

4. The patio comprises two main elements: a lower section running along most of the rear width of the dwelling with steps into the lower garden, and a smaller section some 400mm higher which has steps leading up from the lower patio. This has been constructed above an existing shed which is subsequently retained into the void underneath the patio. The Council does not object to the lower patio or steps, and I do not disagree. Similarly, given the distances and intervening landscaping, there would be no adverse effects on the living conditions of the occupiers of No 2 Cedar Gardens which abuts the rear boundary of the appeal property. The main issue is concerned with the raised section above the shed and its impact on the occupiers of No 20 Chestnut Drive (No 20).
5. The raised section is sited on or very close to the common boundary and this allows for views across No 20's lower garden. However, the street has a dense built-up residential character with dwellings built close together and with short gardens that fall steeply away to the rear. This results in a significant degree of existing intervisibility across gardens, which are overlooked at close quarters by rear windows as well as other neighbouring raised patios. The existing standards of privacy within gardens are not therefore very high. In these circumstances, the minor additional height of the patio would not materially change the existing levels of overlooking across No 20's garden. When standing on the appeal patio, there are oblique views towards No 20's rear patio. Nonetheless, the appeal property has a garage alongside the boundary which projects beyond the rear elevation. This provides a partial block to the view, and the proposed boundary screen would provide further suitable mitigation. Given the lightweight semi-transparent nature of a glass screen, I do not consider that its height above the level of the neighbouring garden would result in any unneighbourly effects.
6. I conclude that the development would not harm the living conditions of the occupants of No. 20, and it would comply with Policy SP2 of the Bridgend Local Development Plan. It would also comply with the objectives of the Council's Supplementary Planning Guidance 02: Householder Development.

Conclusion

7. 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 one or more of the Welsh Ministers' well-being objectives.
8. For the above reasons and having regard to all matters raised, the appeal is allowed.

P J Davies

Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 27/5/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 28.06.2022

Appeal Decision

Site visit made on 27/5/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 28.06.2022

Appeal Ref: CAS-01807-Z5P1R1

Site address: 8 Rhyd Y Nant, Pencoed, Bridgend CF35 6JD

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 Thomas Smith against the decision of Bridgend County Borough Council.
- The development proposed is remove garage / utility; two storey side extension; single storey porch / WC / playroom extension to front; hardstanding to front.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Notwithstanding the description given in the application form, I have used the description in the Council's decision notice and appeal form as it is more accurate.

Main Issue

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

Reasons

4. The Council has no concerns with the front single storey lean to extension, and I do not disagree. The issue relates to the proposed two storey side extension and the hardstanding.
5. The appeal property is in an established built-up residential area containing dwellings of similar ages and design albeit in a mixed orientation of mostly detached and semi-detached arrangements. It is a detached house with a single storey side garage built up to the side boundary with the neighbouring property No. 6, a semi-detached house which also has a similar side garage built on the boundary. The two properties are therefore effectively joined at ground floor level. Along Rhyd Y Nant, most dwellings are set back with front gardens and driveways enclosed by low walls and / or hedges which create a

pleasant spacious impression. The housing layout is informal and the gaps between dwellings at first floor level provide visual relief that positively contribute to the context that I have described.

6. The proposed two storey extension would be constructed with a gable end wall projecting out to the side boundary and extending from the existing ridge height of the dwelling. Although its scale and design would be consistent with the existing dwelling and its surroundings, it would significantly erode the gap at first floor level, resulting in a close relationship with the adjacent dwelling.
7. The Council's Supplementary Planning Guidance 02: Householder Development (SPG02) says that no side extension should have a design that if repeated on the adjoining property, would create the appearance of terraced housing. This advice is particularly pertinent to the appeal site and its surroundings, given the importance of the spacing and arrangement of dwellings to the area's character. I note that there is planning permission for a two storey side extension at the neighbouring property No. 6. However, whilst the appellant refers to a gap between dwellings being necessary, any such gap would likely be very small. The siting of the two storey extension on or very close to the boundary therefore has the potential to result in a large visually unrelieved mass of built form with the appearance of a terrace, which would be out of character with the area's context. The minor individual differences in design between the proposed and approved extensions would do little to offset this harm.
8. I note that there is a two storey side extension at the property opposite (No 3), but this is unlike the appeal proposal insofar as it has a sloping lean to roof much lower in height, which allows for a greater visual gap. My attention is also drawn to other extensions in the area, but I have considered the proposal in its own context, and I saw none that would warrant the identified harm. The nondescript nature of the housing character also does not justify poor design.
9. The proposal would result in most of the front grassed area being removed to create a hard surface for parking. The Council indicate that three spaces would be required and that these could be accommodated within the area provided. Nonetheless, and although there is scope to retain some of the existing hedge, the property frontage would have a hard built-up appearance, especially when cars are parked there. This would have an adverse impact on the pleasant openness of the street's appearance. No scheme of landscaping or other viable measures to soften the appearance of the hardstanding is provided and I am not persuaded therefore that this is a matter that could be resolved with a planning condition.
10. I conclude that the proposed development would cause material harm to the character and appearance of the area contrary to Policy SP2 of the Bridgend Local Development Plan and SPG02.

Conclusion

11. 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 one or more of the Welsh Ministers' well-being objectives.
12. For the above reasons and having regard to all matters raised, the appeal is dismissed.

P J Davies

Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 27/5/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 21/06/2022

Appeal Decision

Site visit made on 27/5/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh
MinistersDate: 21/06/2022

Appeal Ref: CAS-01573-X1N9P0**Site address: 8 Willesden Road, Cefn Glas, Bridgend CF31 4RE****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 Amy Dance against the decision of Bridgend County Borough Council.
 - The development is described as the retention of garden fence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Notwithstanding the description given in the application form, I have used the description given on the appeal form as it is more concise. The fence has been erected and I have therefore considered the appeal on the basis it seeks retrospective planning permission.

Main Issues

3. These are the effects of the development on the character and appearance of the area, and highway safety.

Reasons

4. The fence consists of solid timber and occupies a prominent position close to a road junction. It is viewed primarily in the context of Willesden Road which has an open and spacious appearance derived from reasonably large front gardens and driveways which are mostly semi enclosed with low walls and fences. Higher forms of enclosure are in the minority, and include trees or hedgerows which have a soft verdant impact on the street scene.
5. The height of the fence is around 1.7 – 1.8 metres and has been constructed behind a low dwarf wall close to the back edge of the pavement along Willesden Road. It cuts back to a point approximately midway along the front elevation of the appeal property, and takes a

'dog leg' form around a parking space that is accessed from Willesden Road. The extent and scale of the fence is substantial, and together with its height and solidity, it results in a stark and visually dominant form of enclosure that significantly erodes the open and spacious impression of the street scene. Although photos of other forms of enclosure have been provided to me, in this particular location, the fence is demonstrably untypical of its individual context and is a visually harmful feature.

6. Turning to highway safety, the height of the fence and its position alongside the pavement and its return against the parking space, severely limits visibility to the south-east for drivers emerging from the space. Likewise, pedestrians and other road users approaching in this direction would have little visible warning of cars leaving the space. The absence of adequate visibility spays therefore results in an unacceptable risk of pedestrian and / or vehicular conflict.
7. I conclude that the development is harmful to the character and appearance of the area and highway safety, contrary to Policy SP2 of the Bridgend Local Development Plan and the objectives of the Council's Supplementary Planning Guidance 02: Householder Development.

Conclusion

8. 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 one or more of the Welsh Ministers' well-being objectives.
9. For the above reasons and having regard to all matters raised, the appeal is dismissed.

P J Davies

Inspector