

APPEALS

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

APPEAL NO.	A/20/3265375 (1909)
APPLICATION NO.	P/20/433/FUL
APPELLANT	HENRY & MARGARET PRICE & HENDRY & COLLEEN PRICE
SUBJECT OF APPEAL	THE CREATION OF ONE GYPSY FAMILY PITCH COMPRISING OF TWO STATIC RESIDENTIAL GYPSY CARAVANS, TWO DAY/ UTILITY ROOMS, TWO TOURING CARAVANS, IMPROVED ACCESS, RETENTION OF HARDCORE AREA AND INSTALLATION OF A PACKAGE TREATMENT PLANT LAND AT NO. 2 GYPSY LANE STABLES, WERN TARW ROAD, RHIWCEILIOG, PENCOED
PROCEDURE	HEARING
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposal, by reason of its siting, layout, design and scale, represents an inappropriate and unjustified form of development in this countryside location that fails to retain or enhance the character and distinctiveness of the Mynydd y Gaer Special Landscape Area, would generally detract from the rural character and appearance of the area contrary to Policy ENV3-Special Landscape Areas, Policy COM6-Gypsy and Travellers Sites and Policy SP2 – Design and Sustainable Place Making of the Bridgend County Borough Council Local Development Plan 2006-2021; and advice contained in Planning Policy Wales Ed.10 (December, 2018), TAN12-Design and Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites (December 2007).
 2. The proposed development, by reason of its siting in a remote, unsustainable location that is not accessible by a range of different transport modes, will wholly rely on the use of private motor vehicles contrary to policy SP2 (6) of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 10, 2018).
 3. The proposed development, by reason of its form, type and location, would generate pedestrian movements along Church Road towards Brynna and Minffrwd Road, towards Pencoed where there are no pedestrian footways, generating a risk of pedestrian/vehicular conflict to the detriment of highway safety. The proposal is therefore contrary to Policies SP2 and SP3 of the Bridgend Local Development Plan (2013), advice contained within Planning Policy Wales, Edition 10, 2018 and Circular 005/2018.
 4. Insufficient information has been provided on the proposed method of supplying sufficient drinking water to this development to comply with Criterion 4 of Policy COM 6 of the Bridgend Local Development Plan 2013.
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APPEAL NO. C/21/3269224 (1950)
ENFORCEMENT NO. ENF/114/20/ACK

APPELLANT MR & MRS HENDRY PRICE

SUBJECT OF APPEAL UNAUTHORISED GYPSY/TRAVELLER SITE:
LAND EAST OF ZOAR CHAPEL (SITE 2) CHAPEL ROAD,
RHIWCEILIOG, PENCOED

PROCEDURE HEARING

DECISION LEVEL ENFORCEMENT NOTICE

APPEAL NO. CAS-02086-N7G7S9 (1942)
APPLICATION NO. P/21/915/FUL

APPELLANT MR G WILSON

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE OF DWELLING AND SINGLE
STOREY EXTENSION TO REAR OF DWELLING
8 PRIORY ROAD, BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, due to its scale and its location at the boundary of the property, as well as the forecourt parking proposed, represents an unacceptable design that would be detrimental to the character and appearance of the host dwellinghouse and the wider street scene, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).

This appeal has now been decided and the decision is attached as Appendix A

APPEAL NO. CAS-02029-Z3F8M4 (1954)
APPLICATION NO. P/22/923/FUL

APPELLANT TRIPLE JERSEY LIMITED

SUBJECT OF APPEAL THE ERECTION OF A CLASS A3 RESTAURANT AND DRIVE-THRU
(BURGER KING) TOGETHER WITH ASSOCIATED EXTERNAL
COVERED TERRACE, SCREENED REFUSE STORE, PARKING,
LANDSCAPING AND ASSOCIATED WORKS
LAND AT WICKES CAR PARK, WATERTON, BRIDGEND

PROCEDURE HEARING

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed development, by reason of its form and location, will increase the levels of use of the sub-standard pedestrian crossing points, increasing traffic hazards to the detriment of highway and pedestrian safety. The proposed development is also in a location that is not accessible by a range of different transport modes and will rely on the use of the private motor vehicle, contrary to the provisions of Policy SP3 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 11, February 2021).
2. Insufficient detail has been submitted in respect of the proposed traffic levels and highway capacity on the Picton Court/A48 and A48/A473 (Waterton) roundabouts to enable an assessment of available highway capacity and safety considerations to be made.

The development, by reason of its constrained internal layout and siting, would result in an inefficient use of the car park leading to the displacement of vehicles to the detriment of highway safety, contrary to the provisions of Policy SP3 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 11, February 2021).

APPEAL NO.	CAS-02023-V5Z2N6 (1956)
APPLICATION NO.	P/22/110/FUL
APPELLANT	MR C LEWIS
SUBJECT OF APPEAL	RETENTION OF SHED, COVERED AREA AND 2M HIGH BOUNDARY WALL, NEW RAISED LAWN WITH UNDERGROUND WATER STORAGE TANK, REMOVAL OF EXISTING TREES AND NEW LANDSCAPING WITHIN FRONT GARDEN 3 CLEVIS CRESCENT, PORTHCAWL
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The development, by reason of its nature, siting, scale and design, represents incongruous and prominent additions to the streetscene to the detriment of local visual amenities, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11 - 2021).

APPEAL NO.	CAS-02021-G5L2F4 (1957)
ENFORCEMENT NO.	ENF/414/21/ACK
APPELLANT	MRS G LEWIS
SUBJECT OF APPEAL	ALLEGED UNAUTHORISED BUILD 3 CLEVIS CRESCENT PORTHCAWL
PROCEDURE	WRITTEN REPRESENTATIONS

DECISION LEVEL **ENFORCEMENT**

APPEAL NO. CAS-02095-L3N9F0 (1962)
APPLICATION NO. P/21/914/FUL

APPELLANT MR & MRS BEDESHA

SUBJECT OF APPEAL CONVERSION OF EXISTING GARAGE INTO GAMES ROOM AND
BASEMENT CINEMA WITH GLAZED LINK TO THE MAIN
DWELLING AND ASSOCIATED WORKS
LONGACRE, OLD COACHMANS LANE, COURT COLMAN,
BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its size, scale and design, represents an excessively incongruous and overly prominent form of development within a countryside location that will have a detrimental impact on the character and appearance of the host dwelling and the surrounding rural context, contrary to Policies SP2 and ENV1 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).
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APPEAL NO. CAS-02083-H6T1M9 (1963)
APPLICATION NO. P/22/179/FUL

APPELLANT MR C DALEY

SUBJECT OF APPEAL REMOVE REAR EXTENSION; CONSTRUCT SINGLE STOREY
REAR EXTENSION WITH BALCONY OVER; ALTERATION TO
FRONT DORMER AND PROVISION OF BALCONY
7 GORDON ROAD PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its siting and design, would constitute an insensitive and unsympathetic form of development that would have an unacceptable impact on the character of the host dwelling to the detriment of the existing visual amenities of the locality which fails to preserve or enhance the character and appearance of the nearby Porthcawl Conservation Area, contrary to Policies SP2 and SP5 of the Bridgend Local Development Plan (2013), the principles of SPG02 - Householder Development (2008) and Technical Advice Note 12 Design (2016) and advice contained within Planning Policy Wales (Edition 11, Feb. 2021).

This appeal has now been decided and the decision is attached as Appendix E

APPEAL NO. CAS-02097-T1X2Y0 (1964)
APPLICATION NO. P/22/346/FUL

APPELLANT MR D BAKER

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE AND REAR OF EXISTING HOUSE, PORCH TO FRONT AND NEW RENDERED BLOCKWORK EXTERNAL SKIN
1 MOUNT EARL CLOSE, BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, due to its design, scale and siting, represents an unacceptable and overly prominent addition that would be detrimental to the character and appearance of the host dwellinghouse and the wider street scene, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).

APPEAL NO. CAS-02162-X2D1M5 (1969)
APPLICATION NO. P/22/268/RLX

APPELLANT MR K FIELD

SUBJECT OF APPEAL REMOVE CONDITION 2 OF P/17/456/FUL (OBSCURE GLAZING)
SEAWYNDS, CARLTON PLACE, PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed removal of the condition, by reason of that it would result in a revised form and the introduction of a non-obscurely glazed bedroom window in this location, would have an unreasonable and direct overlooking impact on the neighbouring residential property, known as 14 Carlton Pace, to the detriment of the residential amenities enjoyed by the occupiers of that property. The proposal is therefore contrary to Policy SP2 of the Bridgend Local Development Plan (2013), the principles of Supplementary Planning Guidance 02: Householder Development (2008) and advice contained within Planning Policy Wales (Edition 11, 2021).
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The following appeals have been decided since my last report to Committee:

APPEAL NO. CAS-02086-N7G7S9 (1942)
APPLICATION NO. P/21/915/FUL

APPELLANT MR G WILSON

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE OF DWELLING AND SINGLE STOREY EXTENSION TO REAR OF DWELLING
8 PRIORY 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 A**

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 ADVERT APPEAL

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-01997-N2P6M0 (1955)
APPLICATION NO. P/22/143/FUL

APPELLANT MR R DAVIES

SUBJECT OF APPEAL CONSTRUCT GARDEN ROOM TO REAR GARDEN
16 SHELLEY DRIVE BRIDGEND

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 C**

APPEAL NO. CAS-02071-B9C1R9 (1960)
APPLICATION NO. P/22/195/FUL

APPELLANT MR G MORGAN

SUBJECT OF APPEAL REMOVAL OF EXISTING ROOF; ROTATION OF ROOF PITCH; INCREASE OF ROOF PITCH; TWO NEW PITCHED ROOF DORMERS TO FRONT; FLAT ROOF DORMER EXTENSION TO REAR
15 ANGLESEY WAY, PORTHCAWL

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 D**

APPEAL NO. CAS-02083-H6T1M9 (1963)
APPLICATION NO. P/22/179/FUL

APPELLANT MR C DALEY

SUBJECT OF APPEAL REMOVE REAR EXTENSION; CONSTRUCT SINGLE STOREY REAR EXTENSION WITH BALCONY OVER; ALTERATION TO FRONT DORMER AND PROVISION OF BALCONY
7 GORDON ROAD PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL DECISION BE AS FOLLOWS:

**The appeal is dismissed insofar as it relates to the alteration to the front dormer and provision of a balcony.

**The appeal is allowed insofar as it relates to the removal of the rear extension and construction of a single-storey rear extension with balcony

A copy of the appeal decision is attached as **APPENDIX E**

APPEAL NO. CAS-02190-V5X2C2 (1972)
APPLICATION NO. P/22/152/FUL

APPELLANT MR N EVANS

SUBJECT OF APPEAL CONSTRUCTION OF A ROOF TOP EXTENSION
11 REST BAY CLOSE, PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed roof extension, by reason of its scale and location, represents an excessive form of development that would be detrimental to the character and appearance of the host dwellinghouse and out of keeping with the immediate area, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).
2. The proposed development, by reason of its scale, orientation and design, would result in an excessively dominating and overlooking impact on the adjoining property to the north, resulting in a significant loss of residential amenity through overbearing impact as well as a loss of privacy, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and Paragraph 2.7 of Planning Policy Wales (Edition 11, February 2021).

Since this appeal was submitted, PEDW advised:

*As the above appeal was not received within 12 weeks of the date of the refusal, the appeal has been found to be **invalid** and PEDW cannot take any further action on the appeal.*

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 24/10/22

gan R Duggan BSc (Hons) DipTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 01.11.2022

Appeal Decision

Site visit made on 24/10/22

by R Duggan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 01.11.2022

Appeal Ref: CAS - 02086

Site address: 8 Priory Road, Bridgend CF31 3LA

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 George Wilson against the decision of Bridgend County Borough Council.
- The development proposed is a 2-storey extension to side of dwelling and proposed single storey extension to rear of dwelling.

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the impact of the development on the character and appearance of the street scene.

Reasons

3. The appeal property is a two-storey, hipped-roof, semi-detached property located in a residential area containing mainly semi-detached dwellings which display uniformity in terms of architectural style, proportions and spacing. The separation distances and spaces between properties are relatively constant and set a regular pattern of built development which creates a strong uniform layout to the area. The character and appearance of well spaced properties is maintained by the use of single storey garages to the side of some of the houses and the distinctive hipped gable roofs. There is a strong pattern of pairs of semi-detached houses on this side of the street and the pattern repeats itself elsewhere in the area.
4. It is proposed to erect a two-storey extension on the side elevation with a hipped roof and a single-storey flat roof extension to the rear, creating additional accommodating in the form of an enlarged kitchen and a storage area on the ground floor and an additional bedroom and en-suite at first floor level.
5. The Council has referred me to its Supplementary Planning Guidance (SPG) Note 02 Householder Development. Note 3 of SPG02 states that “*Two-storey extensions ...*

which are built up to the boundary with adjoining property are not advisable unless it is shown that they have no adverse effect on residential or visual amenity". In addition, Note 16 of the SPG goes on to state that *"No side extension should have a design that, if repeated on adjoining property, would create the appearance of terraced housing"*. Paragraph 6.9.1 goes on to state that *"Extensions to the side of houses are a particular problem in areas of similar semi-detached properties. The spatial character of the area can be substantially changed as extensions to adjoining houses almost meet, creating the appearance of terraced development. To minimise this adverse effect an extension should be set back at least 1 metre from the front elevation of the house (see Note 18) and 0.5 metre in from the site boundary (see Note 3)"*. Although the proposed development would run counter to the general thrust of the advice contained within the Council's SPG, I have treated the document as providing no more than guidance which can assist in the assessment of planning applications including the application of the policies of the development plan. I consider that the advice set out in the SPG should not be treated as prescriptive.

6. Nevertheless, in the context that I have described and by reason of its siting on the boundary, the side extension would fill the gap that currently separates the appeal property and No 10 Priory Road. It would contribute towards a terracing effect by eroding the spacing and separation between the properties that is a key attribute of the character of the area. It would also harmfully unbalance the appearance of the semi-detached pair and disrupt the uniform qualities of the street scene. I recognise that care has been taken to design an extension which would complement the existing house in terms of being set back from the front wall of the house and with a lower roof line, thus complying with some elements of the design guidance set out within the Council's SPG. Notwithstanding this, I consider that this does not overcome the fundamental issue of the closure of the gap between the pairs of houses.
7. As a result of the proposed extensions the property would increase from a three-bedroom house to a four-bedroom dwelling, and in order to satisfy the Council's car parking requirements (as set out within Supplementary Planning Guidance Note 17 Parking Standards) a total of three off-street car parking spaces must be provided within the site. Due to the extension being to the side of the house a large portion of the existing driveway would be lost, as such, it is proposed that the three car parking spaces would be provided at the front of the property. As a result, the frontage of the dwelling would be dominated by the parking spaces and hardstanding. I find this would be an incongruous layout that would be in contrast with the majority of other properties in the locality that have front gardens and forecourts enclosed by dwarf walls and soft landscaping. These features currently provide a visual break between the highway and the houses and is an important characteristic of the street scene.
8. Having regard to the above, I conclude that the development would have a harmful impact on the character and appearance of the street scene and would conflict with Policy SP2 of the Adopted Bridgend Local Development Plan (LDP) 2013. This policy requires all development to contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment by having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character (criterion 2).
9. The appellant has drawn my attention to a number of other side extensions in the area. However, whilst I accept that these developments exist, I have been provided with limited information relating to their planning history. Nevertheless, whatever the background, their existence is not an appropriate justification for permitting the proposed development here.

Equally I consider that examples of disharmonious development should not be used to justify further similar proposals.

10. I appreciate that the scheme would provide the additional living accommodation required by the Appellant and his family. However, this does not carry sufficient weight to overcome the concerns already identified in respect of the appeal.
11. The Council confirms that the single-storey extension to the rear would be acceptable, and I agree. Based on the information before me, I agree that the proposed rear extension would be acceptable in terms of its effect on the character and appearance of the dwelling and street scene, but as it would be connected to the side extension it would not be possible for me to separate them in my decision.
12. Having regard to the above and considered all other matters raised, I conclude that the appeal should be dismissed.
13. 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 objectives of building a stronger, greener economy as we make maximum progress towards decarbonisation, making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

R Duggan

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/10/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04/11/2022

Appeal Decision

Site visit made on 20/10/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 04/11/2022

Appeal Ref: CAS-02006-Q7B8M6

Site address: Land opposite 65 Bethania Street (south of Scout Hall) Maesteg CF34 9ET

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

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Wildstone Estate Limited against the decision of Bridgend County Borough Council.
- The advertisement is a freestanding hoarding sign (48 sheet) 6m x 3m.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The appeal relates to part of a larger area of grassed open space, adjacent to a busy road in a predominantly residential area on the outskirts of Maesteg town centre. It is an attractive verdant site with a backdrop of trees and provides visual relief to the built-up character of the area.
4. The surrounding area is generally devoid of advertisements and commercial paraphernalia. On the open space near the appeal site, there are directional signs and a freestanding board that identifies the entry to the Eweny Road Industrial Estate, but these are modest and typical features of the transport network that blend with their environment. I accept that the proposed advertisement hoarding would not result in visual clutter, but it would stand conspicuously alone in front of trees and a modest single storey community building. In particular, compared to the simple gable end wall of the adjacent building, the advertisement would be a tall and broad structure rising above the eaves and obscuring trees that contribute positively to the area. Although it would be unilluminated, having regard to its scale and siting, as well as its commercial nature, it would form a

brash and visually dominant feature that would fail to harmonise with its setting. I accept that the site is not a sensitive one in terms of heritage assets, but this does not justify visual harm in other locations where there is a clear discord with the characteristics of the area. Similarly, the fact that there was a hoarding on the site some years ago does not mean that the harm I have identified should be allowed.

5. I note that the advertisement would be orientated side on to the dwellings that face the site, but although this would limit views of the sign's frontage, the general bulk and utilitarian form of the structure would still be evident as a visual reminder of its wider harm. In any event, to others walking or travelling in the area, or enjoying the open space, the advertisement's incongruous and dominant impacts would be readily apparent.
6. I conclude that the proposed advertisement would be harmful to the visual amenities of the area. Whilst not decisive to the determination of the appeal, it is also material to note that the proposal would conflict with Policy SP 2 of the Bridgend Local Development Plan.

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 dismissed.

P J Davies

Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/10/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04/11/2022

Appeal Decision

Site visit made on 20/10/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 04/11/2022

Appeal Ref: CAS-01997-N2P6M0

Site address: 16 Shelley Drive, Cefn Glas, Bridgend CF31 4QA

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 Davies against the decision of Bridgend County Borough Council.
- The development is described as 'construct garden room to rear garden'.

Decision

1. The appeal is allowed, and planning permission is granted for a garden room to rear garden at 16 Shelley Drive, Cefn Glas, Bridgend CF31 4QA in accordance with the terms of the application, Ref P/22/143/FUL dated 14 February 2022, subject to the following condition:

1. Within three months of the date of this permission, a scheme for biodiversity enhancement and a timetable for its implementation shall be submitted to and agreed in writing by the local planning authority. The biodiversity enhancements shall be implemented in accordance with the approved details and timetable.

Reason: Future Wales and Planning Policy Wales require all development to maintain and enhance biodiversity.

Procedural Matter

2. The development has been carried out and I have therefore considered the appeal on the basis that it seeks retrospective planning permission.

Main Issues

3. These are the effects of the development on the character and appearance of the locality and on the living conditions of the occupants of No 14 Shelley Drive.

Reasons

4. The appeal relates to the rear garden of a semi-detached house which narrows towards the rear boundary. The garden room takes a triangular form that infills the back corner of

the garden, extending on or very close to the side and rear boundaries. The garden also rises away from the house and the garden room sits on an area of slightly raised decking.

5. The garden room is a modest structure with a flat roof and a recessed front elevation which is mostly glazed. It is not unduly large or high and sits proportionately within the rear garden without dominating or detracting from its size or layout. It is constructed largely from timber and chipboard and the front elevation has been painted to an acceptable finish. It also contains modern fenestration of typical domestic appearance. Whilst it is elevated above the existing boundaries, its low height and simple design ensure that it remains visually subservient and unobtrusive, especially in the context of other outbuildings in the neighbouring gardens. In essence the garden room is of a scale, appearance and form of a typical domestic outbuilding and causes no material harm to local visual amenity.
6. I note that the existing boundary treatment includes timber constructed on top of a wall which the Council maintain is unauthorised and could be removed or reduced in height. However, it remains the case that some form of mutual boundary treatment is inevitable given the clear value attached to privacy by the appellant and the occupants of No 14. The probability of there being no boundary screening or it being significantly reduced is limited and I therefore give this little weight.
7. I viewed the development from No 14, and saw that whilst the development is visible, it is not visually dominant or oppressive. It is set well away from the principal windows on the rear of No 14 and is offset from them. From within the garden of No 14, much of the visual impact of the development is countered by an existing shed and a tree. I have no reason to believe that the tree is in poor health or would be removed by the owner. I accept that there would be a full view of the development from an upstairs bedroom window, but given my contextual findings above, I do not equate this with any harm to the living conditions of the occupants concerned.
8. The garden room has extensive glazing on its front elevation and sits on an elevated plateau. The garden level of the appeal property is also higher than No 14, but the differences are not significant, and I saw that views from the development are indirect and not unusual in residential built-up situations such as this. Given the strong likelihood of there being some form of boundary screening I am satisfied that there would be no direct or invasive views over the neighbouring property, perceived or otherwise.
9. I conclude that the development does not cause any material harm to the character or appearance of its locality or harm the living conditions of the occupants of No 14. It therefore complies with Policy SP2 of the Bridgend Local Development Plan (LDP) and the objectives of the Council's Supplementary Planning Guidance 02: Householder Development. The latter reflect national planning policy set out in Planning Policy Wales Edition 11 and Technical Advice Note 12 'Design' with which the development is also compliant.
10. As the development is built, it is not necessary to impose conditions relating to commencement or plan compliance. A condition requiring matching materials would not be reasonable given the detached ancillary nature of the development. I have attached a biodiversity enhancement condition which is necessary to ensure the development maintains and enhances biodiversity in line with national policy.

Other Matters

11. I note concerns with the height and appearance of the boundary fence; however, this is not part of the development as described and applied for, and there are no substantive details before me. It is therefore outside the scope of this appeal. I have had regard to all

other matters raised but I find nothing of overriding significance that leads me to alter my decision.

Conclusion

12. 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.

13. For the above reasons, the appeal is allowed.

P J Davies

Inspector

**Penderfyniad ar yr Apêl**

Ymweliad â safle a wnaed ar 10/10/22

gan Nicola Gulley MA MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 01.11.2022

Appeal Decision

Site visit made on 10/10/2022

by Nicola Gulley MA MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 01.11.2022

Appeal Ref: CAS-02071-B9C1R9**Site address: 15 Anglesey Way, Porthcawl, Bridgend CF36 3TL**

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 Gareth Morgan against the decision of Bridgend County Borough Council
- The development proposed is the removal of existing roof, the rotation of the roof pitch, the increase of roof pitch, two new pitched roof dormers to front and flat roof dormer extension to rear.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development on the appeal form differs from that on the application form. The Council has determined the proposal on the basis of the description on the application form and I shall do the same.

Main Issue

3. The Council raises no objection to the proposed development on the basis of residential amenity. The main issue is therefore the impact of the proposal would have on the character and appearance of the appeal dwelling and surrounding area.

Reasons

4. The appeal site is situated on a modern residential estate in the settlement of Porthcawl. The site comprises a substantial detached dwelling set in a prominent position at the junction of Anglesey Way and the short cul-de-sac of Steepholm Close. The appeal dwelling has a partially recessed front elevation and a pitched roof line which is orientated so that the gable end of the property faces Anglesey Way. Although the design and form of the appeal dwelling mirrors that of the neighbouring property of No. 13, the surrounding area is characterised by a wide range of different types and styles of dwellings.

5. Policy SP2 of the Adopted Bridgend Local Development Plan (LDP) (2013) seeks, amongst other things, to ensure that all new development contributes towards creating high quality, attractive and sustainable places which respect and enhance local character and distinctiveness. Additional guidance in relation to the design and siting of dormer windows and alterations to existing roof structures is contained in the Council's adopted Householder Extension Supplementary Planning Guidance (2008) (SPG).
6. To allow for the creation of an additional storey, the development proposes to rotate the pitch of the existing roof by 90 degrees, raise the existing ridge height of the property and, in doing so, increase the gradient of the roof, insert two small gabled dormer windows in the front, and a box dormer window in the rear, roof plane. In addition, a narrow two storey extension would be constructed in the front elevation of the dwelling.
7. Whilst I note the appellant's comments, I consider that the height and steep gradient of the proposed roof, which would visually occupy just under half of the front and rear elevations of the appeal dwelling, would, when considered in conjunction with its prominent siting, result in an incongruous form of development that would fail to respect the scale and form of the appeal dwelling and the properties in the immediate locality. Similarly, the scale of the rear dormer window, which would occupy approximately three quarters of the roof plane, would, in my view, result in a disproportionate addition that would dominate the rear elevation of the appeal dwelling. Consequently, I consider that the proposed development would have a harmful effect on the character and appearance of the appeal dwelling and surrounding area.
8. With regard to the suggestion that there are similar developments within the vicinity, whilst I note the examples provided by the appellant, I am conscious that the scale and visual prominence of the developments cited differ from that of the appeal dwelling.
9. As such I consider that the proposed development would have a harmful effect on the character and appearance of the appeal dwelling and surrounding area and be contrary to the objectives of Policy SP2 of the LDP and the adopted SPG.

Conclusion

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 making our cities, towns and villages even better places in which to live and work.
11. I have also had regard to all other matters raised in support of the scheme. However, none of these factors are sufficient to alter my overall conclusions that the proposal would have an adverse impact on the character and appearance of the area.
12. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Gulley

Inspector



Penderfyniad ar yr Apêl	Appeal Decision
Ymweliad â safle a wnaed ar 24/10/22	Site visit made on 24/10/22
gan R Duggan BSc (Hons) DipTP MRTPI	by R Duggan BSc (Hons) DipTP MRTPI
Arolygydd a benodir gan Weinidogion Cymru	an Inspector appointed by the Welsh Ministers
Dyddiad: 08/11/2022	Date: 08/11/2022

Appeal Ref: CAS - 02083

Site address: 7 Gordon Road, Porthcawl CF36 3AA

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 Carl Daley against the decision of Bridgend County Borough Council.
- The development proposed is 'Remove rear extension, construct single-storey rear extension with balcony over, alteration to front dormer and provision of balcony.

Decision

1. The appeal is dismissed insofar as it relates to the alteration to the front dormer and provision of a balcony. The appeal is allowed, however, insofar as it relates to the remainder of the application and planning permission is granted for the removal of the rear extension, construct a single-storey rear extension with balcony over at 7 Gordon Road, Porthcawl CF36 3AA in accordance with the terms of the application Ref: P/22/179/FUL, dated 10 March 2022, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The description of the proposed development set out in the banner heading above has been taken from the Council's decision notice as this more accurately describes the proposed development. The description has been replicated on the appeal form.

Main Issues

3. I consider the main issues to be the impact of the development on the character and appearance of the host dwelling and street scene. and whether it would preserve or enhance the character or appearance of the adjoining Porthcawl Conservation Area (CA).

Reasons

4. The appeal property is an end of terrace dwelling located within a predominantly residential area. It forms part of a terrace of three largely identical three-storey dwellings with symmetrical bay windows on the ground and first floor levels and two smaller dormer

windows within the roof space. The site is situated adjacent to the boundary of the extended Porthcawl Conservation Area that lies to the immediate south of the application property. In my opinion, the prominent position of the appeal property and the adjoining two properties make a significant positive contribution to the character and appearance of the street scene especially when viewed from within the designated CA.

5. It is proposed to undertake alterations to the front dormer window on the second floor by replacing the window with a new patio style double door allowing access onto a newly created balcony area, as well as inserting a new large window on the side elevation. The balcony would be located above the existing projecting first-floor bay window and would measure approximately 3.3m in width with a 1.1m projection, and it would be enclosed by a modern glass balustrade.
6. Whilst I have had regard to the specific objections of the Council in terms of the symmetry of the three dwellings, I note from the evidence submitted by the Appellant that the building originally had double doors leading out from the dormer onto a balcony, and the scheme aims to restore the original balcony feature. From the historic images provided by the Appellant, it is clear that a front balcony feature was part of the original design and architecture of the house and the principle of restoring this feature is to be welcomed.
7. However, I consider that the glass balustrade with the use of such modern materials would contrast unfavourably with the front elevation of the appeal property and the houses along the terrace and those found on Esplanade Avenue. The proposal would fail to replicate the finesse and integrity of hand painted timber joinery and wrought iron which would be integral to the sincerity of the building's traditional appearance and local architectural features. This is especially pertinent given the site directly adjoins the boundaries of the conservation area and can be viewed prominently from within it. It is of course critical to ensure the safety of persons using the balcony. Nevertheless, there is nothing to demonstrate that alternative materials have been explored which could have been designed and painted to mimic the design of the original balcony and balustrade.
8. When viewed in the context of other dwellings in the area, the use of the modern glass balustrade would harm the overall appearance of the appeal property and would not be in-keeping with the local vernacular. Therefore, I consider that it would be seen as an incongruous addition to the front of the house causing visual harm to the host property and street scene. In addition, having regard to the duty imposed by Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, having regard to the prevailing character of the area, I find that the proposal would not preserve or enhance the character and appearance of the adjoining conservation area. For these reasons, I consider that this aspect of the scheme would be at odds with Policies SP2 and SP5 of the Adopted Bridgend Local Development Plan (LDP), 2013.
9. The development also proposes the removal of the existing single-storey upvc rear extension and its replacement by a single-storey flat roof extension with a balcony above enclosed by a 1.8m high privacy screen, together with two off-street car parking spaces at the rear of the property. It is clear from the Council Officer's delegated report that the replacement of the existing extension with the proposed single-storey flat roof extension does not raise any objections and *"is unlikely to introduce an overly prominent or noticeable addition to the property"*. It would appear that the Council's principal concerns relate to the introduction of a raised terrace enclosed by planting/screening as this would be visually unacceptable and not in keeping with the general character and appearance of the area.
10. During my visit I saw that the rear of many of the properties in the terrace (No's 1 – 7 Gordon Road) have been altered and extended, and there is a mix of differing sizes and

styles of rear extensions and garages. There is also an existing rear first floor balcony/terrace at the appeal property. As such, I consider that the rear of the appeal property does not currently make a positive contribution to the character and appearance of the area or to the adjoining conservation area. Removing the upvc extension and replacing it with the proposed extension and other alterations would, in my opinion, improve the appearance of the property when viewed from the rear access lane and neighbouring properties.

11. Although the neighbouring property would have direct views of the raised terrace, I do not consider that it would be so harmful as to warrant refusal. I also note the concerns of the Council in terms of the contrived nature of the planting/screening. However, the privacy screen can be subject to a condition where the materials to be used in the development would be agreed by the Council prior to the commencement of works.
12. Having regard to the above and considered all matters raised by the Council in objection to the proposal, I conclude that the proposed removal of the existing single-storey rear extension and its replacement by a single-storey flat roof extension with a balcony above would be sympathetic additions to the appeal property that would enhance its form and character. As such, no material harm would be caused to the character and appearance of the host property or the street scene, and the proposal would also preserve and enhance the character and appearance of the adjoining conservation area. For these reasons, I consider this part of the development would comply with the provisions of Policies SP2 and SP5 of the LDP. As these elements of the scheme can be clearly severed from the proposals on the front elevation of the appeal property it is possible for me to separate them in my decision.

Conditions

13. I have considered the suggested conditions put forward by the Council having regard to the advice in Welsh Government Circular 016/2014: *The Use of Planning Conditions for Development Management* (October 2014). In addition to the standard conditions, I shall impose a condition requiring the materials on the development to be agreed with the Council to safeguard the visual amenity of the area. I have also added a condition regarding ecological enhancement measures. Both parties were given the opportunity to comment on this additional condition, and it was agreed that the condition is necessary to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales

Conclusions

14. Having regard to the above, I conclude that the appeal should be dismissed insofar as it relates to the alteration to the front dormer and provision of balcony. However, the remainder of the proposed development, namely the removal of the rear extension, the construction of a single-storey rear extension with balcony over, would be acceptable and I shall allow these elements of the proposal subject to the schedule of conditions attached to this decision.
15. 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 objectives of building a stronger, greener economy as we make maximum progress towards decarbonisation, making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

R. Duggan

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following approved plans and documents: Existing Plans 01; Existing Elevations 02; Proposed Plans 03 Rev A; Proposed Elevations 04 Rev A; Proposed Site Layout 05; Location Plan 06.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3) Prior to the commencement of the development hereby approved, details of the external materials to be used in the construction of the development, including the 1.8 metre privacy screen on the balcony above the rear extension, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development hereby permitted does not have a detrimental impact on the character and appearance of the area as required by Policies SP2 and SP5 of the Adopted Local Development Plan.

- 4) Prior to the commencement of development, a scheme of Ecological Enhancement Measures and a Detailed Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and Policies SP4 and ENV6 of the Adopted Local Development Plan.