

Appeals

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

APPEAL NO.	2044
APPLICATION NO.	P/25/438/FUL
APPELLANT	A PHILLIPS
SUBJECT OF APPEAL	REMOVAL OF EXISTING ROOF, CREATE A NEW PITCHED ROOF TO ACCOMMODATE FIRST FLOOR LIVING SPACE; FULL RECONFIGURATION OF GROUND FLOOR LAYOUTS; THERMALLY UPGRADE EXISTING ENVELOPE AND ASSOCIATED WORKS (RE-SUBMISSION FOLLOWING REFUSAL)
LOCATION OF APPEAL	215 WEST ROAD PORTHCAWL
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposal, by reason of its design, features and materials, represents an incongruous and unsympathetic form of development which is out of keeping with, and harmful to, the established character and appearance of the host property and the prevailing built up residential area contrary to Policy SP3 of the Replacement Local Development Plan (2024), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales 12 (Feb. 2024).
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APPEAL NO.	2046
APPLICATION NO.	P/25/525/FUL
APPELLANT	MR L JAMES
SUBJECT OF APPEAL	DETACHED TRIPLE GARAGE TO FRONT GARDEN
LOCATION OF APPEAL	1 HIGH ST LALESTON
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed garage, by reason of its siting, design, size and scale, represents an excessive, incongruous and overly prominent form of development that would have a detrimental impact on the established character and appearance of the streetscene and open nature of the front gardens in this predominantly residential area, contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Supplementary Planning Guidance Note 2 – Householder Development and Planning Policy Wales 12 (Feb. 2024).
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The following appeal has been decided since my last report to Committee:

APPEAL NO.	2040
APPLICATION NO.	P/25/57/FUL
APPELLANT	MR D JONES
SUBJECT OF APPEAL	RETROSPECTIVE CONSENT FOR A GARDEN SHED TO BE USED FOR STORAGE OF GARDEN ITEMS AND BICYCLES
LOCATION OF APPEAL	18 GARN ROAD 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.

The Appeal decision is attached as APPENDIX A.

RECOMMENDATION

That the report of the Corporate Director Communities be noted.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers (see application reference number)



Appeal Decision

by Helen Smith BA (Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 14/11/2025

Appeal reference: CAS-04487-L1L2F7

Site address: 18 Garn Road, Maesteg, CF34 9AS

- 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 Daniel Jones against the decision of Bridgend County Borough Council.
 - The application Ref P/25/57/FUL, dated 31 January 2025, was refused by notice dated 2 May 2025.
 - The development is described as 'a garden shed to be used for storage of garden items and bicycles, replacing the previous shed situated in the same place since 1995.'
 - A site visit was made on 22 October 2025.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development has been completed. I have therefore considered this appeal as one that seeks retrospective planning permission.
3. The appeal form indicates that an application of costs is being made. However, the appellant has subsequently confirmed that they do not wish to pursue such an application. I have not considered the matter further.

Main Issues

4. These are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 19 Garn Road (No. 19), having regard to outlook and light.

Reasons

Character and appearance

5. The appeal site relates to an end of terrace dwelling located in a row of terraces with a strong building line. The terrace is set back and separated from the road by long front

gardens which slope up to the frontages of the dwellings. This, together with the generally low boundary enclosures of the front gardens, gives the immediate context of the appeal site an attractive open and verdant character in an otherwise heavily built-up area. Given the appeal site's elevated position in relation to the road, and owing to the openness of the front gardens of the appeal site and the adjacent dwellings, it occupies a visually prominent location in the street.

6. The appellant has drawn my attention to sheds/kennels/bin stores forward of the principal elevation of a number of properties on Garn Road, including the nearby outbuilding at No. 19 and a shed at No.14. However, owing to their small scale, I saw that these were not visually prominent in the street scene and do not generally inform the character of the terrace. Similarly, owing to the small scale of the porch at No. 20, and as the vegetation in the front garden of No. 21 screens the majority of the conservatory on its front elevation, these extensions are also not visually dominant in the street scene.
7. The development comprises a large timber outbuilding that is sited in the front garden, forward of the principal elevation of the dwelling. It is wide and deep which, together with its shallow mono pitched roof, results in a large-scale building with an overtly boxy appearance, in contrast to the nearby small-scale outbuildings. Owing to its siting forward of the main dwelling and its elevated position in relation to the road, it occupies a prominent location and there are clear views of it from the street when travelling in both directions. Consequently, its unsympathetic bulky and boxy appearance is clearly visible in the street.
8. Any additional planting to sufficiently screen it from views from the street would need to be substantial and would take a long time to establish. In these circumstances, additional planting would not sufficiently mitigate its visual impact. Consequently, the proposed development appears as a visually dominant and unsympathetic building that results in an incongruous development, inappropriate to its context, and unsympathetic to the open and verdant character of the immediate context of the appeal site. This has a harmful effect on the character and appearance of the area.
9. I recognise that there was previously a shed in a similar location. Nevertheless, this was removed from the site some time ago and photographs show that the scale of this shed was significantly smaller than the appeal scheme. The photographs also show that it was not visually dominant in the street scene and therefore not comparable to the appeal scheme. I have therefore determined the appeal on its merits.
10. I note that the appellant is willing to make adjustments to the height/colour/design of the structure, however, the appeal process cannot be used to evolve a scheme and therefore I must determine the scheme before me.
11. I conclude that the proposed development harms the character and appearance of the area, contrary to Policy SP3 of the Bridgend County Borough Local Development Plan (LDP), which seeks to, amongst other things, ensure that development respects and enhances local distinctiveness and is appropriate to its local context. It would also be contrary to the objectives of the Council's Supplementary Planning Guidance 02 – Householder Development (SPG), which seeks to promote a high standard of design.

Living conditions

12. The Council states that owing to its siting, scale, height and proximity to the boundary with No. 19, the shed has an unreasonably dominating and overshadowing impact on this property. Nevertheless, whilst the building is sited forward of the nearest ground floor window of No. 19, and close to the shared boundary, I saw that owing to its separation distance, it does not have an overly overbearing impact on that window and that the

generally open outlook from this window is largely maintained. Consequently, the development is not so overbearing that it harmfully affects the outlook from the room which this window serves.

13. Similarly, given the generally low eaves height and the shallow mono pitched roof of the shed, and having regard to the separation distances between it and the window, I find that the development does give rise to a significant loss of light to the ground floor window. Consequently, the development does not result in a level of overshadowing that harmfully affects the level of light reaching the room which that window serves.
14. I conclude that the development does not harm the living conditions of the occupiers of No. 19 in regard to outlook and light. It therefore complies with Policy SP3 of the LDP which seeks to ensure, amongst other things, that the amenity of neighbouring uses and their occupiers will not be adversely affected. It also complies with the SPG which seeks to ensure, amongst other things, that no extension unreasonably dominates the outlook of, or unreasonably overshadows, an adjoining property.

Other Matter

15. In reaching my decision I have had regard to the reasons why the appellant constructed the shed, which include the provision of a secure place for storage of gardening equipment and bicycles following numerous incidents of thefts. Nevertheless, the harm that I have identified to the character and appearance of the area is significant and a matter of public interest which is likely to endure in posterity. I do not consider that mitigation measures secured by planning conditions could be used to limit these adverse effects. There is also little evidence that the appeal scheme is the only realistic means of securing the identified benefits. In these circumstances, it would be proportionate to withhold planning permission.

Conclusion

16. Although I have found no harm to the living conditions of the occupiers of No. 19, this does not outweigh the harm to the character and appearance of the area, which is an overriding consideration. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
17. 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.

H Smith

INSPECTOR