

Appeals

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

APPEAL NO.	2054
APPLICATION NO.	P/25/408/FUL
APPELLANT	HIKITALO LTD
SUBJECT OF APPEAL	RETROSPECTIVE PERMISSION FOR THE SITING OF A MOBILE WOOD-FIRED SAUNA CABIN UNIT
LOCATION OF APPEAL	LAND TO THE NORTH-WEST OF LIFEGUARD STATION REST BAY PORTHCAWL
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The unauthorised development, by reason of its type and form, does not fall into any of the predefined exceptions or criteria for appropriate development outside of defined settlement limits nor does it ensure that the integrity of the countryside is conserved and enhanced. The development is therefore unacceptable in principle and is contrary to Policy DNP1 of the Bridgend Replacement Local Development Plan (2024).
2. The unauthorised development, by reason of its siting, design and external finishes, is visually obtrusive and represents an incongruous and insensitive element in a protected coastal location of considerable landscape value and is out of character with the area, to the significant detriment of the visual amenities of the coastal zone and surrounding special landscape area contrary to Policies SP3 and DNP4 of the Bridgend Replacement Local Development Plan (2024), and guidance contained within Technical Advice Note 12: Design (2016) and Planning Policy Wales 12 (2024).
3. The unauthorised development fails to provide sufficient information regarding anticipated trip generation and associated vehicle movements. In the absence of this information, the Local Highway Authority is unable to fully assess the highway safety implications of the scheme. Based on the information available and the experienced effects of the facility, the development is likely to continue to result in additional illegal on-street parking and increased drop-off and pick-up activity, creating hazards for road users and adversely affecting the safety and free flow of traffic along Rest Bay Road. The development is therefore considered to be detrimental to highway safety and contrary to the Policies SP3 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

APPEAL NO.	2061
APPLICATION NO.	ENF/179/25/ACK
APPELLANT	HIKITALO LTD
SUBJECT OF APPEAL	ALLEGED UNAUTHORISED SITING OF SAUNA
LOCATION OF APPEAL	LAND TO THE NORTH-WEST OF LIFEGUARD STATION REST BAY PORTHCAWL
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	ENFORCEMENT NOTICE

APPEAL NO. 2067
APPLICATION NO. P/25/767/FUL
APPELLANT VJ THOMAS & SON
SUBJECT OF APPEAL ERECT A CAR PORT THAT IS FINISHED IN WHITE POWDER COATED ALUMINIUM
LOCATION OF APPEAL 23 MARLPIT LANE PORTHCAWL
PROCEDURE HOUSEHOLDER
DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed carport, by reason of its design, materials, siting and scale, would result in an overly prominent and incongruous structure which would have a significant detrimental impact on the appearance and character of the existing property and the visual amenities of the surrounding street scene contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024), Supplementary Planning Guidance Note 02: Householder Development (2008) and advice contained within Planning Policy Wales 12 (Feb. 2024).

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

APPEAL NO. 2051
APPLICATION NO. A/25/14/ADV
APPELLANT WILDSTONE ESTATES LTD
SUBJECT OF APPEAL PROPOSAL FOR THE ERECTION OF A FREESTANDING D48 DIGITAL 'BILLBOARD' ADVERTISING POSTER
LOCATION OF APPEAL GRASS VERGE BETWEEN CAR WASH AND KFC LAND SOUTH OF A48 HERNSTON BUSINESS PARK BRIDGEND
PROCEDURE COMMERCIAL APPEAL
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.

The Appeal decision is attached as **APPENDIX A.**

APPEAL NO. 2048
APPLICATION NO. P/25/545/FUL
APPELLANT MRS J ABSALOM
SUBJECT OF APPEAL RETENTION OF SUMMER HOUSE IN REAR GARDEN
LOCATION OF APPEAL 117 HEOL Y BARDD 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.

The Appeal decision is attached as **APPENDIX B.**

APPEAL NO. 2059
APPLICATION NO. P/25/494/FUL
APPELLANT MRS A DAVIES
SUBJECT OF APPEAL REMOVE EXISTING LAWNED AREA TO REPLACE WITH TWO PARKING SPACES
LOCATION OF APPEAL KING FISHER HOUSE MAESTEG ROAD LLANGYNWYD 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 C.**

APPEAL NO. 2037
APPLICATION NO P/24/645/FUL
APPELLANT MR H PRICE & FAMILY
SUBJECT OF APPEAL RETENTION OF EXISTING HARD STANDING AREA AND FENCING, THE PROVISION OF 2 STATIC RESIDENTIAL GYPSY CARAVANS & 2 TOURING CARAVANS, 2 UTILITY/DAY ROOMS, CAR PARKING, BOUNDARY FENCING, ECOLOGICAL ENHANCEMENTS WHICH INCLUDE THE REMOVAL OF SOME AREAS OF HARDSTANDING WITH PLANTING AREAS, AND THE INSTALLATION OF A PRIVATE TREATMENT PLANT: ROSE MEADOW YARD CROFT TOP FARM, LALESTON
PROCEDURE HEARING
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.

The Appeal decision is attached as **APPENDIX D.**

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 Richard James Bsc (Hons) Msc MRTPI an Inspector appointed by the Welsh Ministers

Decision date: 01/05/2026

Appeal reference: CAS-04863-Y0C0S5

Site address: Grass verge between Car Wash and KFC, Land south of A48 Hernston Business Park, Bridgend, CF31 3XX

- 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 Estates Limited against the decision of Bridgend County Borough Council.
 - The application Ref A/25/14/ADV, dated 24 September 2025, was refused by notice dated 1 December 2025.
 - The advertisement proposed is the erection of a freestanding D48 digital advertising poster.
 - A site visit was made on 24 February 2026.
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Decision

1. The appeal is allowed and express consent is granted for the erection of a freestanding D48 digital advertising poster as applied for. The consent is for five years from the date of this decision and is **subject to the five standard conditions set out in the Regulations** and the following additional conditions:
 - 1) Outside of daylight hours (before first light and after last light), the luminance level of the advertisements hereby approved shall not exceed 300 candela per square metre.
Reason: In the interests of amenity and public safety.
 - 2) The minimum display time for each advertisement shall be 10 seconds.
Reason: In the interests of public safety.
 - 3) The interval between successive displays shall be 1 second or less and there shall be no sequencing of messages relating to the same product.
Reason: In the interests of public safety.
 - 4) The display panels shall have a default mechanism to a blank screen in the event of any malfunction.
Reason: In the interests of amenity and public safety.
 - 5) No individual advertisement displayed on the panel shall contain moving images, animation, video, full motion images, or images that resemble road signs or traffic signals.

Reason: In the interests of amenity and public safety.

Procedural Matters

2. For accuracy, I have used the site address provided on the Council's decision notice and the appeal form.
3. The Council has referred to policies from the Bridgend County Borough Local Development Plan (2024) (LDP), Planning Policy Wales (Edition 12), Technical Advice Notes 7 (Outdoor Advertisement Control) and 12 (Design). However, the powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. I have therefore taken these policies and guidance into account only insofar as they are a material consideration.

Main Issues

4. These are the effect of the proposed advertisements upon: a) amenity, with particular regard to visual impact; and: b) public safety.

Reasons

5. The appeal site is located next to a car wash station on an area of grassland that runs adjacent to the A48 Bypass Road near a roundabout within a retail park. Other commercial premises visible within the wider frontage include numerous fast-food outlets, a large household store, a vehicle repair garage and a filling station.
6. The proposal comprises a freestanding 48 sheet digital display poster, for static advertisements on rotation every 10 seconds. It would measure circa. 6 metres wide by 3 metres high, mounted 2 metres above ground level for a total height of circa. 5 metres. It would face towards the western entry and exit point of the roundabout.

Amenity

7. Within the retail park and along the A48's frontage there are numerous signs of varied sizes and forms. These include amongst others, illuminated and non-illuminated signs, gantry or totem pole style signs, other freestanding signs and those which are mounted on the area's varied commercial buildings. As such, there is little clear pattern of development or uniform advertisement style. This contributes to the A48's mixed commercial frontage appearance.
8. The proposal's display would be large but suitably set back from the highway to limit its visual prominence along the frontage. It would be located near other taller and illuminated signage in the area. It would also be viewed against the backdrop of the KFC restaurant behind it, which itself has illuminated signs at a high level. The proposed digital display would therefore comprise a new but contemporary example of signage provision within this heavily commercialised and mixed frontage character. Furthermore, having regard to its siting as described, the proposal's effect upon existing levels of visual clutter in the area would be minimal.
9. My findings are based on the specific circumstances of this case. As each case must be judged on its merits, I do not consider that my granting express consent would prevent the Council from resisting unacceptable development at other locations in the future.
10. As such, I find that the visual impact of the proposed digital display would be acceptable.

Public Safety

11. At the time of my site visit (mid-morning) I saw that the amount of traffic using the roundabout was busy but not congested, with vehicles consistently moving freely and

independent of the nearby roundabout to the north. The roundabout along the A48 is of minor size and complexity, with a straightforward layout of four similarly spaced entry and exit points. Good forward visibility of oncoming vehicles exists for drivers during their approach to it. I also saw that although the A48 has a 40mph speed limit, due to the minor nature of the roundabout, drivers were typically travelling at lower speeds, as they approach, circulate and exit it.

12. From the northern approach to the roundabout, drivers would see the proposal within the same field of view as oncoming traffic from the west. The proposal would, however, be set back behind this oncoming traffic, across the roundabout and A48. An unobstructed view of oncoming traffic and highway signage in the foreground would therefore likely remain the key point of focus for drivers. Given the lower speeds of vehicles circulating the roundabout, the proposal would not substantially compromise a driver's ability to process and conduct a safe entry onto it from the north.
13. From the eastern approach, good forward visibility and signage along a straight and level section of the A48 provides ample warning for drivers of the approaching roundabout, its lanes and of oncoming traffic circulating or approaching it. The proposal would be viewed across the roundabout and thus, would not obstruct these views. From the southern approach, the proposal to the west would have little effect on drivers as they would be concentrating views to oncoming traffic from the north and east. As such, although the proposal's location would draw attention to parts of the highway that are not required during eastern and southern approaches to the roundabout, the levels of distraction caused to drivers would be minimal.
14. For these reasons, the proposal's effects upon driver focus would be similar during more congested times of the day, where vehicle movements would likely be slower.
15. Pedestrian levels in this area were low during my site visit. Nonetheless, I saw a good level of footway and crossing provision along the A48 and at each entrance and exit of the roundabout. Pedestrians would likely have a heightened awareness of vehicles approaching and exiting the roundabout, with good visibility and anticipation of movements available between drivers, pedestrians and other highway users.
16. As such, with conditions to restrict the display of moving or flashing images, the proposal would not significantly detract drivers from their main priority of being aware of the movements of others or to assess the vehicle gaps to safely approach, circulate and exit the roundabout.
17. I conclude therefore that the proposal would not be harmful to the interests of amenity or public safety. Whilst not itself a determining factor, it is also material to note that the proposal would, for the same reasons, comply with LDP Policies SP3 and SP5 and the objectives of national policy and guidance.

Conditions

18. The Council and appellant have suggested two planning conditions that relate to timing (for the commencement of development) and the listing of approved plans. Such conditions are unnecessary as this decision grants express consent for the display of an advertisement, to which the five standard conditions set out in the Regulations apply.
19. Conditions to control the intensity of daytime illumination, or the visibility of illumination from any part of an adjacent highway would also be unnecessary, given the proposal's acceptable effects upon amenity and public safety.
20. The Council has referred to requirements for nighttime advertisement brightness and the duration of each advertisement. However, having regard to my findings above, no

compelling evidence is submitted to indicate that the appellant's suggested conditions to control these matters would be harmful to the interests of amenity or public safety.

21. The appellants suggested 'Standard Conditions' largely align with the requirements of the five standard conditions set out in the above-mentioned Regulations and as such, are unnecessary.
22. I have made minor amendments to the wording of the suggested conditions from the appellant and Council, to align with the advice in Circular WGC 016/2014 'The Use of Planning Conditions for Development Management'.

Conclusion

23. For the reasons given above and having regard to all matters raised, I conclude that the appeal should succeed.
24. 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.

Richard James

INSPECTOR



Appeal Decision

by C D Sweet MPlan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 30.04.2026

Appeal reference: CAS-04762-J1G2G8

Site address: 117 Heol y Bardd, Bridgend, CF31 4TB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Julie Absalom against the decision of Bridgend County Borough Council.
 - The application Ref P/25/545/FUL, dated 1 September 2025, was refused by notice dated 3 December 2025.
 - The development is described as 'Retention of summerhouse in rear garden. Dimension 2.4 metres to apex, 3 by 3 metres sq'.
 - A site visit was made on 27 April 2026.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The development is in place, and the appeal seeks retrospective planning permission. I have dealt with it on that basis.
3. The appellant refers to the Council's application of its scheme of delegation, but such matters are not before me, and I therefore make no comment on them.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal property is a detached bungalow on a corner plot, with a garden which wraps around it, abutting the pavement to the south and west.
6. I note the appellant's view that the summerhouse is in the appeal property's rear rather than front garden. However, due to its positioning and the shape of the plot, it is nonetheless clearly visible within the street scene from multiple points and is viewed in context with the frontages of nearby properties.
7. Frontages along Heol y Bardd close to the appeal property are generally enclosed by walls of modest height, hedges or other permeable soft landscaping and are largely free from outbuildings or other sizable built form. These factors give the street scene a pleasing degree of openness which contributes positively to the character of the area.

8. The summerhouse does not overshadow neighbouring properties or increase overlooking and therefore accords with the Council's Supplementary Planning Guidance 2: Householder Development (SPG) in these respects. However, the SPG also advises that outbuildings should not detrimentally affect the space about the original house.
9. Whilst the Council may have found the principle of development acceptable, due to its size, proximity to the appeal property's western boundary and solid, almost impermeable appearance, the summerhouse appears as a prominent, overly large addition which notably reduces the openness of the street scene at this point.
10. Irrespective of the presence of taller soft landscaping at some nearby properties, these factors cause the summerhouse to appear discordant when viewed in context and result in unacceptable harm to the character and appearance of the area.
11. It is a well-established principle that applications should be considered on their own merits. However, given the lack of built form within frontages nearby, I consider it likely that if I allowed the development, it would be more difficult for the Council to resist other similar development, with cumulative adverse effects on the area's character.
12. Notwithstanding the support expressed by a number of local residents, I find that the summerhouse conflicts with policy SP3 of the Bridgend Local Development Plan 2018-2033 which applies to all development and, among other things, requires that development must be appropriate to its local context in terms of size, scale, height and massing, and with advice contained in the SPG.

Conclusion

13. The development would provide some benefit for biodiversity as set out in the submitted Green Infrastructure Statement. However, such benefits would be modest and would not outweigh the identified harm. I therefore find that it is proportionate and necessary to dismiss the appeal.
14. For the reasons given above and having had regard to all other matters raised, I conclude that the appeal should be dismissed.
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 one or more of the Welsh Ministers' well-being objectives.

C D Sweet

INSPECTOR



Appeal Decision

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 22/05/2026

Appeal reference: CAS-04971-Y8S1J5

Site address: Kingfisher House, Maesteg Road, Llangynwyd, Maesteg CF34 9SN

- 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 Alison Davies against the decision of Bridgend County Borough Council.
 - The application Ref P/25/494/FUL, dated 7 August 2025, was refused by notice dated 16 January 2026.
 - The development proposed is Remove existing lawned area to replace with two parking spaces.
 - A site visit was made on 12 May 2026.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the safety and convenience of highway users.

Reasons

3. The appeal relates to a dwelling fronting onto the A4063, which I saw on my site visit is a heavily trafficked thoroughfare which also accommodates a bus route. The appeal property incorporates a hardstanding which is open to the highway but is otherwise bounded by walls and pillars. Immediately outside the property is a demarcated layby which is well used for vehicle parking. Some nearby dwellings feature front driveways, but there are several exceptions to this in the immediate vicinity.
4. The dropped kerb which is in place outside the dwelling is modest in width and does not completely span the hardstanding. Instead, it aligns with a parking area to the front of the retaining wall, leaving a strip along the southern boundary which may have originally been intended to facilitate pedestrian access to a set of steps. Although the non-dropped footway is raised only marginally above the layby, it represents a manoeuvring constraint. Given this constraint, I cannot reasonably assume that the existing hardstanding is capable of regularly accommodating more than one parked vehicle.
5. The appeal scheme proposes to extend the dropped kerb across much of the plot frontage, aligned with a widened hardstanding. It seems to me that the resulting driveway would be capable of accommodating up to 4 vehicles. The widened dropped kerb would have the effect of precluding layby parking outside an existing lawned area, which is currently of sufficient length to accommodate one vehicle. It would also moderately reduce layby parking capacity near to the shared boundary with 'Fair Haven'.

6. The extent of proposed off-street parking would exceed the advisory maximum limit set out in the Council's Parking Standards' Supplementary Planning Guidance (SPG) Note 17. Whilst the SPG is merely guidance, there is little to justify the resulting reduction in layby parking capacity for residents, servicing and deliveries, which although limited in length would exacerbate the potential for vehicles to park on-street, reducing road width and causing delay that would cause inconvenience to highway users. The existence of other extensive dropped kerbs nearby does not justify the harm which would result from the further reduction in layby parking capacity caused by the appeal scheme.
7. The appellant contends that the extended hardstanding would offer a safety benefit, citing existing and past problems with parked vehicles overhanging the driveway and offering photographs as evidence of both this and vehicle damage. I do not dispute that the ambiguity resulting from the limited height of the footway may cause some vehicles to unlawfully park in front of the dropped kerb. Nonetheless, there is little compelling evidence that the driveway is frequently rendered unsafe or wholly unusable or that the existing layby operates unsafely.
8. Moreover, I saw that it is the southern boundary wall and pillar, rather than vehicles parked in the layby, which primarily restricts visibility for exiting drivers. At present the offset between the wall and dropped kerb acceptably widens the available visibility splay. Although the extended hardstanding could offer improved visibility, the extension of the dropped kerb would also allow vehicles to park and exit adjacent to the southern boundary and wall where visibility is lacking. On balance I am not persuaded that the appeal scheme offers any material benefit in this regard.
9. Whilst I acknowledge that the appellant seeks reliable access to and from the property to assist in providing care for a family member, I have found little evidence that the existing driveway does not operate safely and dependably for a single vehicle. No compelling justification has been provided for the significant increase in the extent of the dropped kerb and hardstanding due to the appellant's caring responsibilities. Consequently, I am satisfied that dismissing the appeal would not be a disproportionate course of action.
10. Other than in relation to highway safety, the Council has not raised other concerns. I have considered the other matters raised but the specific circumstances of this case are decisive. I conclude that the proposal would harm the safety and convenience of highway users, contrary to policies SP5 and PLA11 of the Bridgend Replacement Local Development Plan. I shall therefore dismiss the appeal.
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.

Paul Selby

INSPECTOR

Appeal Decision

by Declan K Beggan BSc (Hons) MSc DipTP DipMan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 05.06.2026

Appeal references: CAS-04471-X8X3X5

Site address: Rose Meadow Yard, Croft Top Farm, Laleston, CF32 0LU

- 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 Henry Price and family against Bridgend County Borough Council.
 - The application Ref. P/24/645/FUL, dated 15 October 2024, was refused by a notice dated 2 May 2025.
 - The development proposed is described as “Proposed hard standing area and fencing, the provision of two static residential gypsy caravans and two touring caravans, two utility/day rooms, car parking, boundary fencing, ecological enhancements with planting areas, and the installation of a private treatment plant (revised information including amended site plan, drainage and sewerage details, and a transport statement)”.
 - A hearing and site visit was made on 3 February 2026.
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Decision

1. The appeal is allowed, and planning permission is granted for a “Proposed hard standing area and fencing, the provision of two static residential gypsy caravans and two touring caravans, two utility/day rooms, car parking, boundary fencing, ecological enhancements with planting areas, and the installation of a private treatment plant (revised information including amended site plan, drainage and sewerage details, and a transport statement)” in accordance with the terms of the application, Ref P/24/645/FUL, dated 15 October 2024, and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.

Procedural Matters and Background

2. The description of the site address varies slightly between the planning application form and the Council’s decision notice; I have used the latter as it is more concise.

3. As discussed at the hearing and agreed with the main parties, to reflect the fact that the bulk, if not all of the hard standing has been removed from the site, the description of the proposal has been amended as per the wording above.
4. The personal circumstances have been included in written evidence and were discussed during the course of the hearing. As I have found the proposal to be acceptable in principle and to accord with the thrust of relevant national planning policy and guidance, it is not necessary to set out in any detail those circumstances in this decision.

Main Issues

5. The main issues in this appeal are:
 - Whether the development within the countryside would be acceptable in principle having regard to relevant planning policies;
 - The effect on the character and appearance of the area;
 - The site sustainability in terms of location; and,
 - The effect on highway safety with particular reference to visibility at the proposed site entrance with the A48.

Reasons

Principle of development

6. The proposed development is located in countryside. Policy DNP1 of the adopted Bridgend Local Development Plan (LDP) strictly controls development in the countryside and presumes against development unless that development falls within certain exceptions; the provision of gypsy/traveller sites in accordance with policy COM8 of the LDP constitutes such an exception. There is no dispute the appellant falls within the definition of gypsy/traveller and as confirmed by the Council, the principle of the proposed development in policy terms is considered acceptable subject to the applicability of other criteria and guidance as contained within Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' (the Circular).
7. Policy COM8 permits gypsy/traveller development subject to the number of criteria, including:
 - where there are a lack of suitable sustainable locations for sites within or adjacent existing settlements boundaries;
 - necessary physical, transport and social infrastructure is accessible or will be readily provided;
 - the scale of development is appropriate having regard to the site's surroundings/setting; and,
 - there being no loss of important recreational, amenity or natural heritage value.
8. The Council do not dispute the appellant's case in terms of need for the development, and confirmed that there is a lack of alternative sustainable locations within or adjacent to existing settlement boundaries, and that it did not

take issue with any of the other criteria, save for the third bullet point above, which I address later in this decision, with elements related to bullet point two, addressed elsewhere within this decision. Therefore, the proposed development is considered acceptable in principle and is broadly consistent with the thrust of advice as contained in the Circular.

Character and Appearance

9. The appeal site comprises a roughly rectangular shaped parcel of land within an open countryside location that gently slopes away from the adjacent A48 road which it accesses onto. The boundaries of the site to the north (roadside), west and east are denoted by mature hedge and tree planting, beyond which are open fields. To the southern boundary of the site an earth bank is proposed with native tree planting. The area beyond the southern boundary is not within the site edged in red, although in the ownership of the appellant and this is due to be grassed over and serve as an area for treatment of foul waste via a treatment plant. The access to the site utilises an existing access that historically has served various uses including agricultural related activities and stabling.
10. Policy COM8 of the LDP deals with gypsy/traveller sites within the countryside, and criteria 'c' permits such development where the scale of the proposal is appropriate with regard to the site's surroundings and setting, ensuring it is in proportion to local settled communities. Policy DNP1 of the LDP states that all development outside defined settlement boundaries must ensure that the integrity of the countryside is conserved and enhanced, and in regard to gypsy/traveller proposals refers to such development being in accordance with COM8. Policy SP3 of the LDP relates to 'Good Design and Sustainable Placemaking' and refers to matters such as development being appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density. Planning Policy Wales Edition 12 (PPW) and Technical Advice Note 12: Design (TAN12) both seek to safeguard visual amenity.
11. Given my findings above in terms of the principle of development on a site located in the countryside and the acceptance of the Council in terms of the need argument and availability of alternative sites, the issue of any potential harm to the character and appearance of the area must be viewed in light of the fact that there will always be a degree of detriment involved, if a countryside location is the outcome of the policy approach.
12. I appreciate that the introduction of the proposed caravans and associated development will alter the character and appearance of the appeal site, however, it should be noted that the site has been subject to development over the years which were likely to reflect aspects of the proposed development in various ways e.g. relatively low-level development.
13. I was able to confirm during my site visit that three sides to the site are well defined by existing mature landscaping and the fourth side would be demarcated by a new earth bank with planting. I appreciate the site is located on the crest of the hill, but the development would be positioned away from the roadside, lower into the site minimising any significant visual impact. The proposed new planting in the form of hedging/trees etc and the retention of existing landscaped features

further reduces any visual impact and assists in assimilating the proposed development into the rural environment. I appreciate the proposal would be seen from the adjacent road, however such views are likely to be fleeting and transitory in nature and very localised, and whilst a public footpath does run adjacent to the site, the existing mature planting and proposed augmentation of the boundaries would significantly lessen any visual impact, particularly so as the land levels fall away along the footpath in a southerly direction, and once again any visual impact to walkers would be transitory in nature.

14. The Council argue that the scale of the development, including the associated hardstanding is excessive for two families and cite a recent example for a gypsy development that was smaller and which served three families. However as discussed above the site is well contained and to my mind the scale of the proposal development would not appear to be at odds or appear excessive for this type of development. Clearly the proposal would result in the introduction of residential paraphernalia onto the site, however, as per policy COM8, which supports the broad principle of the development, it is implicit that a degree of residential use would be expected and for reasons previously stated such associated use would be visually relatively well contained within the site.
15. In support of their case, I note the Council refer to an appeal decision on the site relating to residential development. However, I do not consider this case assists them as it is not directly comparable to the development subject to this appeal. That development was fundamentally different in nature as it was for the retention of a residential caravan/building to be used as a dwelling or both. That development was not acceptable in principle in such a location as it did not meet any policy exceptions for development in the open countryside. In addition, the policy context was different, and the current proposal has to be viewed in light of a more up to date LDP whose policy position is permissive of such development subject to certain criteria being met. In any event, I have reached my own conclusions on the appeal proposal on the basis of the evidence before me.
16. The site is near to the Laleston Special Landscape Area as denoted in the LDP, nonetheless, it is outside, and for the reasons given above I do not consider it would materially detract from the visual amenities of that designation.
17. Pulling the threads of the above together, for the reasons given, I conclude that the proposed development's impact would be visually limited/localised and it would not cause any significant or meaningful detriment to its character and appearance of the general area. As a result, it would be appropriate and acceptable development within the context of the above mentioned LDP policies and also be acceptable in regard to national planning policy as espoused in PPW and advice TAN 12, which collectively seek to safeguard visual amenities and the natural environment.

Sustainability

18. The Council argue in their third refusal reason that the proposal is located in a remote location that is not safely accessible by a range of different transport modes, with a reliance on the use of private motor vehicle. The site lies approximately 700m from Laleston, which has a number of services including, pubs, a post office and a primary school, and access to bus services, whilst a comprehensive school is located some 2 miles away in Bridgend. Pedestrian

accessibility to services either at Laleston or Bridgend are likely to be discouraged due to, the A48 being unlit for long stretches or in the case of Laleston, the need to cross the A48 before walking along Well Street which lacks a footpath and for the most part is unlit until within the village. Occupants of the appeal site would therefore be likely highly reliant on the use of private motor vehicles, particularly so as the appellant confirmed during the hearing that he does not use public transport.

19. Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' guards against a rigid application of accessibility issues and the inappropriateness of an overly rigid approach of planning policies that seek a reduction in car borne travel in order to effectively block proposals for gypsy/traveller sites in the countryside. Sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services. Over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller site in a countryside location would be inappropriate.
20. Bearing in mind the demonstrated need for gypsy/traveller sites in the council area, and the fact that policy COM8 permits countryside locations where no suitable sites can be found within settlements, these factors outweigh the Council's concerns in terms of sustainability i.e. Policy SP3 of the LDP and its reference to promoting active travel, and policy SP5 with its reference to reducing reliance on private car use. It is also worth noting that the site's relatively close proximity to Laleston and Bridgend results in it being within reasonable distance of a range of services in terms of travel by private car.
21. In light of the above, and with particular regard to policy COM8 that permits gypsy/traveller development in the countryside, and the advice in Circular 005/2018, I am satisfied in terms of the sustainability of the proposal, that the proposed development is considered acceptable. In arriving at this position, I am conscious of the 'tension' between aspects of local planning policy/circular advice and other national policy that may be applicable e.g. PPW, however, such a stance would not undermine other national/legislative requirements, due to the unique circumstances of this case.

Highway Safety

22. The Council's first and second reasons for refusal refer to highway safety matters focussed on visibility, intensification of the proposed access and associated turning movements. The proposed access would utilise an existing access off the A48 road that is subject to a 60-mph speed limit, albeit it that reduces down to 50 mph slightly further down the road; the A48 is not a trunk road although I appreciate it is used at times as a diversionary route when there are works on the M4.
23. The Council highway engineer confirmed at the hearing that whilst there were concerns with the visibility splay to the east of the proposed access, nonetheless on the whole it was met; therefore, I have concentrated on the potential impacts

of visibility to the west. The parties disagree as to the appropriate standard to apply in terms of visibility. The Council argues for the application of the "Design Manual for Roads and Bridges", however the A48 is not a trunk or motorway road, and I am not convinced it should be applied, particularly so in light of all the available evidence. To my mind the applicable guidance is that found in Technical Advice 18: Transport (TAN 18). In respect of visibility, TAN 18 recommends that in terms of stopping sight distances (SDD), this is related to the actual (for existing streets) or design (for new streets) 85th percentile wet weather speed of vehicles on a major link i.e. the road subject to this appeal.

24. Both parties produced evidence in the form of traffic surveys that indicated that varied in terms of the actual speed of traffic on the road. However, as evidenced by the appellant in their submitted drawings, based on the Council's traffic survey recorded 85th percentile speeds for approaching traffic, the stopping distance and visibility splays are achievable from a driver's eye height of 1.05 m to an object height of 0.6 m. I consider this standard is appropriate in relation to the prevailing circumstances of the highway at this location.
25. Whilst applying the 85th percentile approach, I was mindful that the site has an existing access that has been subject to multiple uses over the years and whilst the intensity of those uses is debatable, it nonetheless has operated for many years without recorded highway incidents and even now can still be utilised for agricultural purposes. The proposed use would generate 56 two-way traffic movements per week, which is not unduly excessive and is also likely to result in a reduction in the number of larger HGVs/tractors using the A48 and turning in and out of the site access. In regard to collision risk along the stretch of road near to the proposed access, based on the submitted evidence there does not appear to be any significant highway safety issues or concentration of collisions i.e. 'black spot' within the immediate area of the development site access or as a result of the use of the access over the years. The traffic generated by the proposed development is unlikely to materially affect the existing safety record to any significant level.
26. I note a number of highway related conditions proposed by the Council in the event that the appeal was allowed e.g. relating to such matters as provision of road traffic warning signs, access details, and visibility splays. I am satisfied that with these conditions in place matters relating to highway safety would be adequately addressed. The Council refer to two other highway related appeals concerning the site, however, these cases are not directly comparable to the appeal proposal due to matters such as being materially different in nature, being assessed under a different policy context, and whilst related to highway matters I do not know the level of detail advanced by the parties to justify the decisions. In this case, I was satisfied on the balance of evidence presented and my site observations, that the highway implications would not justify refusal of the scheme. In any event, I have reached my own conclusions.
27. However, even if my interpretation of the highway issue is misplaced, in the overall balance, the appellant's case in terms of need for the development, and the confirmed lack of alternative sustainable locations within or adjacent to existing settlement boundaries, along with other factors such as the fact that the

proposal would utilise and existing access, would outweigh any other highway concerns; indeed this applies to other substantive matters relating to the appeal.

28. Pulling the threads of the above together, I therefore find that the proposed development would not harm highway safety and would not conflict with policy SP3 of the LDP, nor PPW insofar as these relate to highway issues.

Other Matters

29. Third parties have raised a number of concerns, such as loss of the best and most versatile agricultural land, however, there is no evidence that the appeal site falls into such a category. In addition, concerns have raised in regard to biodiversity impacts, however the Council are of the opinion the proposed development would be acceptable subject to conditions; I agree.

Conditions

30. I have considered the conditions suggested by the Council and discussed them with the main parties at the hearing in light of circular 016/2014: The Use of Planning Conditions for Development Management (2014) (the Circular) and imposed the bulk of them which meet the relevant tests, albeit with minor amendments where necessary to aid precision.
31. Suggested condition 2 personalises the permission to the appellant and his family. Paragraph 5.83 of the Circular states that conditions restricting occupancy should be used only where sound planning grounds can be demonstrated e.g. if personal circumstances would be critical to the decision to grant planning permission. However, the personal circumstances in this case were not central issues to the Council's refusal and would not justify imposing the suggested condition on site where the need argument and therefore a permanent permission has been justified; it follows that the suggested condition 3 (removal of structures etc post occupation) would also not be required. I have imposed the standard circular condition that restricts the site's occupation to only gypsies/travellers.
32. Suggested condition 11 relating to the removal of the existing hard standing is no longer required in light of the fact that the bulk of this area has already been removed. Suggested conditions 13 and 14 referred to the need for a waste management plan and the dealing with any potential contamination if present on the site. As the site has already been cleared of the vast bulk of material previously deposited on it and there is a lack of evidence to suggest there is contamination remaining on the site, I have deleted these suggested conditions. Proposed condition 15 requiring details relating to the provision of a water supply is not considered necessary as this matter can be addressed via other controls/legislation. Suggested condition 16 refers to limiting the site to two caravan pitches (dwellings) as identified on the Transport Assessment, however this condition is not necessary as the nature of the development is quite clear as per the wording on its description and the number of units is already addressed by condition 7 of this schedule.

Overall Conclusions

33. I have considered this appeal against planning policies related to the provision of gypsy/traveller accommodation, and for the reasons given above and having had regard to all matters raised, I conclude that the proposal development is considered acceptable.
34. In reaching my decisions, 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 these decisions are 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.

Declan K Beggan

Inspector

Schedule of Conditions

1. The development shall be carried out in accordance with the following approved plans and documents:
 - Drawing 01b - Expanded Location Plan at Scale A3 @ 1:2500
 - Drawing 02b – Existing Locations and Block Plan at Scale A3 @.1:2500 and 1:1000 respectively
 - Drawing 03c – Existing Topographical Survey Plan at Scale A3 @ 1:500
 - Drawing 04e – Proposed Site Plan A3 @ 1:500
 - Drawing 05b – Proposed Visibility Splay Plans A3 @ 1:250
 - Drawing 06b - Proposed Pite Entrance Plan Scale 1:250 @A3
 - Drawing 07d– Utility Room floor Plan at Scale 1:50
 - Drawing 08d – Utility room elevations -render finish at scale 1:100
 - Drawing 09 - Proposed Treatment plant Details
 - Drawing 10 - Static caravan typical floor plan at scale 1:50 A3
 - Drawing 11 – Static Caravan- Typical Elevations at scale 1:100 @A3
 - Croft Top Design and construction of crate-based soakaway Treatment Plan (designed for 8-person max)
 - Croft Top soakaway system for bespoke Treatment Plan (8 person Max)
 - Percolation Tests
 - Ecological Appraisal by I and G Ecological Consulting dated 25/06/24
 - Transport Statement by LVW highways dated February 2025

Reason: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2. The occupation of the site shall only be by Gypsies and Travellers as defined by paragraph 2 of Welsh Government Circular 005/2018 and the resident of such dependents of such persons.

Reason: The residential use of the site in this rural location would not be permitted unless occupied by a Gypsy or Traveller and to comply with Policy COM8 of the Bridgend Replacement Local Development Plan (2024).

3. The site shall be occupied by no more than 8 persons at any one time.

Reason: The drainage and foul systems have been designed to accommodate a maximum of 8 people to comply with policy COM8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

4. Notwithstanding the submitted plans, within 3 months of the date of this decision, a biodiversity enhancement scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall have regard to the recommendations within the Ecological Appraisal by I and G Ecological Consulting dated 25/06/24 and set a timetable for its implementation. The works shall be carried out and maintained in accordance with the approved details.

Reason: To safeguard and enhance biodiversity in accordance with PPW 12 Chapter 6 and Future Wales Policy 9 and policies DNP6 and DNP7 of the Bridgend Replacement Local Development Plan (2024).

5. No more than four vehicles shall be kept on the land for use by the occupiers of the caravans hereby permitted and none of those vehicles should exceed 3.5 tonnes in weight.

Reason: To ensure a satisfactory use of the site, to safeguard local amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

6. No commercial or business activities shall take place on the land including the storage of commercial plant, machinery, or vehicles.

Reason: To enable the Local Planning Authority to maintain control over the nature of the use, to safeguard local visual amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

7. No more than four caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968, comprising of two static caravans and two touring caravans shall be stationed on the site at any time.

Reason: To ensure the satisfactory use of the site, to safeguard local visual amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

8. Notwithstanding the submitted plans, within 3 months of the date of this permission, a landscaping scheme including full details of native tree and hedge planting shall be submitted to the Local Planning Authority. These details shall include all proposed planting and landscaping such as a schedule of plants/trees, species, and number/densities. The agreed landscaping scheme shall be carried out in the first planting season following the date of this consent. Any trees or plants which within a period of five years from the implementation of the landscaping scheme, die, are removed, or become seriously damaged or

diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, to promote nature conservation and to comply with Policies SP3, DNP6, DNP7 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

9. The surface water and foul drainage systems hereby approved shall be installed prior to the first beneficial use of the site and retained as such thereafter.

Reason: To ensure satisfactory foul and surface water drainage is provided and to comply with Policies COM8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

10. No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of the trees and hedgerows on and around the perimeter of the site. The approved scheme shall be carried out during the demolition of the buildings and throughout the course of the development.

Reason: To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP3 and DNP7 of the Bridgend Replacement Local Development Plan (2024).

11. The use of the day rooms shall be limited to the ancillary and incidental enjoyment of the residential pitches and for no other purpose.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

12. The common turning facility to ensure that all vehicles arrive and leave in a forward gear shall be provided before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

13. No development shall commence until a scheme for the provision of road traffic warning signs and/or road markings on both approaches to the site has been submitted to and approved in writing by the Local Planning Authority. The agreed signage scheme shall be implemented in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

14. The access, drive and turning facility shall be completed in permanent materials in accordance with the agreed details prior to the development being brought into beneficial use.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

15. The proposed vision splays shall be provided before the development is brought into beneficial use and retained and maintained as such thereafter in perpetuity.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

16. No structure, erection or planting exceeding 0.6 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

17. The entrance/gates shall be set back not less than 10 metres from the nearside edge of footway to ensure towing vehicles clear the carriageway.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).