

APPEALS

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

CODE NO.	A/15/3128677 (1757)
APP. NO.	P/15/64/FUL
APPELLANT	MR GARETH EVANS
SUBJECT OF APPEAL	PROPOSED CONSTRUCTION OF 2 NO. BEDROOM DORMER BUNGALOW - RESUB OF P/14/687/FUL: LAND ADJ 16A DANYCOED, BLACKMILL
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

CODE NO.	A/15/3121472 (1758)
APP. NO.	P/15/164/FUL
APPELLANTS	MR ALAN MALLETT
SUBJECT OF APPEAL	CONVERT 6 NO. STABLES TO 2 NO. SELF-CONTAINED HOLIDAY LET UNITS: AR GRAIG, LALESTON
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER

CODE NO.	A/15/3129184 (1759)
APP. NO.	P/14/564/OUT
APPELLANTS	MR ALAN MALLETT
SUBJECT OF APPEAL	1 NO. 5-BED TWO STOREY DWELLING TO BE OCCUPIED BY OPERATIVES OF AN EXISTING RURAL ENTERPRISE: LAND WEST OF TON PHILLIP FARM, FFORDD Y GYFRAITH
PROCEDURE	HEARING
DECISION LEVEL	DELEGATED OFFICER

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

CODE NO.	A/15/3009476 (1753)
APP. NO.	P/14/754/FUL
APPELLANT	MR ALAN WILLIAMS

SUBJECT OF APPEAL PROPOSED ROOF EXTENSION TO PROVIDE 3RD STOREY: 48 BEACH ROAD, PORTHCAWL

PROCEDURE HOUSEHOLDER PILOT

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 this appeal decision is attached as APPENDIX A

CODE NO. A/15/3007596 (1751)

APP. NO. P/14/794/OUT

APPELLANT MR GERRI MORRIS

SUBJECT OF APPEAL ERECTION OF 2 STOREY DWELLING WITH ACCESS DRIVEWAY AND GARAGE: FORMER PLAYGROUND, FOUNTAIN ROAD, ABERKENFIG

PROCEDURE WRITTEN REPRESENTATIONS

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 this appeal decision is attached as APPENDIX B

RECOMMENDATION:

That the report of the Corporate Director Communities be noted.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

See relevant application reference number.

APPENDIX A



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 06/05/15

gan **Melissa Hall BA (Hons), BTP, Msc, MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 09/06/2015

Appeal Decision

Site visit made on 06/05/15

by **Melissa Hall BA (Hons), BTP, Msc, MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 09/06/2015

Appeal Ref: APP/F6915/A/15/3009476

Site address: 48 Beach Road, Newton, Porthcawl, Bridgend CF36 5NH

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 Alun Williams against the decision of Bridgend County Borough Council.
- The application Ref P/14/754/FUL, dated 14 November 2014, was refused by notice dated 15 January 2015.
- The development proposed is described as a roof extension to provide 3rd storey.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a detached dwelling which lies within an area characterised by residential development of varying form, design and external appearance.
4. Nevertheless, there is an element of consistency in the design of the appeal property when read in the context of the row of eight neighbouring dwellings immediately to the north. Although these dwellings have been altered and extended previously, their two storey scale and massing and relatively simple form has been retained.
5. Similarly, and whilst the semi-detached dwelling to the south is of an alternative design with a large side dormer visible from the street, the two storey massing of the original dwelling is still clearly understood. It is these dwellings to which the appeal site most closely relates.
6. The proposal would substantially increase the ridge height of the existing dwelling to provide a third storey of living accommodation. Externally, this would be expressed as an additional pitched roof element set back from the main front elevation, but which would project above the roofs of the closest neighbouring dwellings.

7. When viewed in the street scene, therefore, it would represent an insensitive and prominent addition which fails to respect the predominant two storey scale and massing of the built form to which it most closely relates. It would thus have a harmful impact on the character and appearance of the surrounding area.
8. Consequently, the proposal would conflict with Policy SP2 of the adopted Bridgend Local Development Plan which requires new development to be of an appropriate scale, size and prominence. Furthermore, it would not accord with the advice contained in the Council's Supplementary Planning Guidance 02: '*Householder Development*' which advises that extensions should be in scale with the existing dwelling.
9. The appellant has drawn my attention to recent development in the vicinity, including a 3 storey modern dwelling under construction opposite the appeal site and a flatted development in Beach Road. Whilst I observed the examples cited, I am of the view that they differ from that before me in terms of their nature and the relationship with the surrounding built form. Nevertheless, each proposal must be determined on its own merits, which is what I have done.
10. I also accept that neighbouring residents have not objected to the proposed development. Be that as it may, this does not outweigh the harm I have otherwise identified to the character and appearance of the surrounding area.

Conclusion

11. For the reasons I have given, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Melissa Hall

INSPECTOR

APPENDIX B



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/05/15

gan **Janine Townsley LLB (Hons)**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 13/07/2015

Appeal Decision

Site visit made on 14/05/15

by **Janine Townsley LLB (Hons)**

an Inspector appointed by the Welsh Ministers

Date: 13/07/2015

Appeal Ref: APP/F6915/A/15/3007596

Site address: Land at Fountain Road, Fountain Road, Aberkenfig, Bridgend, CF32 0EW

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 outline planning permission.
- The appeal is made by Mr Gerri Norris against the decision of Bridgend County Borough Council.
- The application Ref P/14/794/OUT, dated 26 November 2014, was refused by notice dated 15 January 2015.
- The development proposed is the erection of a 2 storey dwelling with access driveway and garage.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application for planning permission was made in outline with all matters reserved for future consideration.
3. The site address provided on the planning application form differs from that on the appeal form insofar and the latter refers to "Former Playground". I am satisfied that both refer to the same site.

Main Issue

4. This is whether the proposed development would accord with local and national policies designed to control new residential development in the countryside.

Reasons

5. The appeal site is located adjacent to Fountain Road, approximately 1 kilometre from the settlement of Aberkenfig. The site is vacant and was formerly occupied by a play area. The site is outside of any settlement boundary as defined by policy PLA1 of the Bridgend Local Development Plan 2006-2021 (LDP). Consequently, the proposal would fall to be considered under policy ENV1 which states that development in the countryside will be strictly controlled. Whilst the policy sets out a number of criteria which may render development acceptable, the appellant has not sought to demonstrate compliance with any of the circumstances set out but states that the

appeal site is of insufficient size and location to be capable of any agricultural use. This assertion, however, is not supplemented by any evidence nor has the appellant taken into account the other criteria set out in the policy. In policy terms therefore, the proposed development would fail to accord with the development plan.

6. I note the appellant states that there are considerations particular to the appeal proposal which should be taken into account, particularly the previous use of the appeal site and the existence of other residential properties in the area.
7. The appeal site is set between two detached bungalows with a small row of terraces and a public house beyond. One of the neighbouring bungalows is set back from the highway. The appeal site itself has a rural and open appearance and is bounded to the rear and sides by a dense area of mature trees and shrubs which reinforces the rural character. Whilst there are residential properties in the area, due to the small numbers involved, and the surrounding rural landscape, they appear sporadic and isolated within their setting. This combined with the rural character of the approach to the site along Fountain Road means the area is clearly characterised as countryside. In this regard, I consider the addition of a further dwelling at this location would alter the existing balance by consolidating the sporadic nature of the existing development and in so doing would harmfully erode the prevailing rural character of the area.
8. Insofar as the appellant's assertion that the appeal site amounts to previously developed land is concerned, I have had regard to national planning guidance in Planning Policy Wales (Edition 7) which seeks to maximise the use of previously developed land. In this case I have taken into account the former use of the site as a playground and the lack of any visible remaining features of the former use. I consider that given the only remains of the playground structures are bases which have now blended into the landscape and that these are not visible from outside the site, I do not consider the site would fall into the definition of previously developed land. In any event, the Welsh Government recognises that not all previously developed land will be suitable for development for reasons including the location of the land.
9. In terms of the proposal offering a sustainable form of development, I note the appellant's position on the location of the appeal site and the accessibility of local shops and services. I acknowledge that the lack of consistent provision of a pedestrian footpath means it would not necessarily be feasible to walk into Aberkenfig. However, the distances involved would mean cycling would be possible and the proximity of bus stops leads me to conclude that it would be possible to access local services without relying on a private motor car. This factor in itself, however, does not detract from my conclusion that the proposed development would be unacceptable for the reasons set out. Furthermore, access to local shops and services without reliance on a private car is only one element of sustainability and in this regard I am mindful of the advice within Planning Policy Wales (Edition 7) that a plan led system is the most effective way to secure sustainable development through the planning system.
10. I have also taken into account assertions that the proposed development would represent a modern and energy efficient home and would make a contribution to the delivery of the shortfall of housing land supply. In this regard I consider that as a single dwelling house the contribution would be modest and in any event these factors would not be sufficient to overcome the identified harm that would be caused by the proposal which would be in clear conflict with development plan policies concerning new residential development in the countryside.

Conclusion

11. For the reasons set out above, I conclude the appeal should be dismissed.

Janine Townsley

INSPECTOR