

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 5 JUNE 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL  
AND ECONOMIC REGENERATION

4. APPEALS

(a) Planning Appeals Received

- |                      |  |
|----------------------|--|
| L.P.A. Reference No: | 2007/01205/FUL   |
| Appeal Method:       | Written Representations  |
| Appeal Reference No: | 08/2071359   |
| Appellant:           | Mr. Colin Duddridge  |
| <b>Location:</b>     | <b>8, Stanton Way, Penarth</b>   |
| Proposal:            | Proposed demolition of existing dwelling and erection of 2 new dwellings   |
| Start Date:          | 3 April 2008   |
|                      |  |
| L.P.A. Reference No: | 2008/00086/FUL   |
| Appeal Method:       | Written Representations  |
| Appeal Reference No: | 08/2071496   |
| Appellant:           | Mr. & Mrs. Thomas,   |
| <b>Location:</b>     | <b>Land adjacent to River View, East Aberthaw</b>  |
| Proposal:            | Proposed detached cottage style four bedroomed dwelling  |
| Start Date:          | 4 April 2008   |
|                      |  |
| L.P.A. Reference No: | 2007/01747/FUL   |
| Appeal Method:       | Written Representations  |
| Appeal Reference No: | 08/2071612   |
| Appellant:           | Mr. & Mrs. Andrews,  |
| <b>Location:</b>     | <b>11, Clive Crescent, Penarth</b>   |
| Proposal:            | Variation to condition 1 of planning application 2007/00819/Ful so as to allow clear glazing to be fitted in north west side of conservatory |
| Start Date:          | 7 April 2008   |
|                      |  |
| L.P.A. Reference No: | 2007/01695/FUL   |
| Appeal Method:       | Written Representations  |
| Appeal Reference No: | 08/2071827   |
| Appellant:           | Mr. & Mrs. R. L. C. Fisher,  |
| <b>Location:</b>     | <b>1, New Forest View, Aberthin, Cowbridge</b>   |
| Proposal:            | Alterations and extension to dwelling  |
| Start Date:          | 9 April 2008   |

L.P.A. Reference No: 2008/00234/TPO  
Appeal Method: Written Representations  
Appeal Reference No: T/08/515064  
Appellant: Mr. & Mrs. Prosser  
**Location:** **26, Pwll Y Min Crescent, Peterston Super Ely**  
Proposal: Fell 2 Silver Firs T1 and T2  
Start Date: 9 April 2008

L.P.A. Reference No: 2007/00530/FUL  
Appeal Method: Hearing  
Appeal Reference No: 08/2072321  
Appellant: Mr. G. Hadfield,  
**Location:** **The Spinney Holiday & Leisure Park, Beach Road, Swanbridge**  
Proposal: Replacement of existing timber building with traditional unit as park managers living accommodation  
Start Date: 14 April 2008

L.P.A. Reference No: 2007/01000/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2072363  
Appellant: David Housley  
**Location:** **5, Purcell Road, Penarth**  
Proposal: Retain a set of gates to driveway. Retain a boundary fence, built in feather edge close boards and stained.  
Start Date: 15 April 2008

L.P.A. Reference No: 2007/01224/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2072610  
Appellant: Mr. R. & Mrs. S. James,  
**Location:** **50, Plas Taliesin, Penarth Marina, Penarth**  
Proposal: Increase in size of balcony  
Start Date: 18 April 2008

L.P.A. Reference No: 2007/01393/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2072577  
Appellant: Mr. Colin Taylor,  
**Location:** **Cuba Cottage, Llancadle**  
Proposal: First floor extension to form bedroom and en-suite  
Start Date: 21 April 2008

L.P.A. Reference No: 2008/00094/FUL  
Appeal Method: Hearing  
Appeal Reference No: 08/2072658  
Appellant: Mr. Mark Canning,  
**Location:** **Land and buildings at Crofta Farm, Ystradowen**  
Proposal: Change of use of agricultural building to 1 no.  
dwelling (barn 2 only)  
Start Date: 21 April 2008

L.P.A. Reference No: 2007/01293/OUT  
Appeal Method: Written Representations  
Appeal Reference No: 08/2073021  
Appellant: Mr. & Mrs. R. Norfolk,  
**Location:** **Little West Bungalows, Southerndown**  
Proposal: New Bungalow  
Start Date: 28 April 2008

L.P.A. Reference No: 2007/01766/FUL  
Appeal Method: Hearing  
Appeal Reference No: 08/2073017  
Appellant: Mr. Andrew Williams,  
**Location:** **5, Cog Road, Sully**  
Proposal: Redevelopment of site to provide four residential  
apartments  
Start Date: 28 April 2008

L.P.A. Reference No: 2008/00045/OUT  
Appeal Method: Hearing  
Appeal Reference No: 08/2073111  
Appellant: Mr. N. Esterkin,  
**Location:** **29, Dock View Road, Barry**  
Proposal: Proposed 3 no. self contained flats  
Start Date: 29 April 2008

L.P.A. Reference No: 2007/01051/FUL  
Appeal Method: Hearing  
Appeal Reference No: 08/2074073  
Appellant: Mr. J. Reid & Miss. T. Vaughan Taylor,  
**Location:** **17, Newbarn, Flemingston, Nr. St Athan**  
Proposal: Two storey extension to side & rear and single  
storey extension to rear  
Start Date: 9 May 2008

---

(b) Enforcement Appeals Received

None.

---

(c) Planning Appeal Decisions

L.P.A. Reference No: 2007/01056/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2065060  
Appellant: Mr. & Mrs. D. Griffiths,  
**Location:** **Wallace Fach Cottage, Wick Road, Ewenny**  
Proposal: Alter existing garage roof to accommodate an internal studio/work room. Remove and rebuild garden store.  
Decision: Appeal Dismissed  
Date: 11 April 2008  
Inspector: Ms. Rebecca Phillips  
Council Determination: Delegated

**Summary**

The proposed alterations to the existing garage would involve a significant increase to the height of the roof and a considerable change to the pitch of the roof which would be much more acute. The Inspector recognised that these proposals would result in the ridge height of the garage projecting substantially above the ridge height of the existing cottage. He considered that the side dormer extension would introduce a bulky and incongruous feature which would appear overly dominant by virtue of its size in relation to the garage. She considered that this would be at odds with the scale and character of the cottage that would not relate well to its surroundings and would be at odds with the character and appearance of the area, including the Special Landscape Area.

---

L.P.A. Reference No: 2007/00309/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2063446  
Appellant: Mrs. J. Rendell,  
**Location:** **Crows Nest, 48, Redbrink Crescent, Barry Island**  
Proposal: Retention of extension with modifications as identified on plans i.e. cut back at first floor level and provision of window alcove (appeal against conditions of planning permission)  
Decision: Appeal Withdrawn  
Date: 31 March 2008  
Inspector: Mr. A. H. Vaughan  
Council Determination: Committee

**Summary**

Appeal Withdrawn.

---

L.P.A. Reference No: 2007/00753/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 08/2063400  
Appellant: Mr. David Morgan,  
**Location:** **Redundant farm building at Village Farm, Marcross**  
Proposal: Conversion of redundant farm building into dwelling  
Decision: Appeal Allowed  
Date: 23 April 2008  
Inspector: Ms. Rebecca Phillips  
Council Determination: Delegated

## Summary

The Inspector considered the building to be appropriate for conversion and did not consider there to be any future agricultural use likely. The Inspector considered that the proposed alterations to the building would not unduly domesticate the appearance of the building or be overly prominent. She did not consider the site to contribute significantly to the rural character of its surroundings and use of it as a garden would be in keeping with the surrounding area and not have an unacceptable impact upon the landscape.

In allowing the appeal, the Inspector concluded that the proposed development would respect the original rural character of the barn and improve the appearance of the prominently located derelict building, assimilating it into its surroundings, bringing it back into use and ensuring its future retention without any adverse impact upon the rural landscape or Glamorgan Heritage Coast.

---

L.P.A. Reference No:	2007/00959/FUL
Appeal Method:	Written Representations
Appeal Reference No:	08/2063053
Appellant:	Miss. S. Poole,
<b>Location:</b>	<b>85, Port Road East, Barry</b>
Proposal:	Proposed two storey extension to side of existing dwelling
Decision:	Appeal Dismissed
Date:	2 April 2008
Inspector:	Robert Gardener
Council Determination:	Delegated

## Summary

The Inspector recognised that the extension proposed would substantially add to the mass and scale of the existing house and create a frontage more than double its current width. He found the proposed enlargement to be out of keeping and would result in a harmful imbalance between the pair of semi-detached properties. He considered the proposed projection beyond the building line to be a discordant feature in the streetscene which would harmfully disrupt the local characteristic pattern of development. In dismissing the appeal he concluded that the proposal would not complement the local character of buildings and spaces, contrary to the aims of Council policy.

---

L.P.A. Reference No:	2007/00547/FUL
Appeal Method:	Written Representations
Appeal Reference No:	07/2062252
Appellant:	Mr. & Mrs. Rob Sciubba,
<b>Location:</b>	<b>Land adjacent to Church Farm (Ashwood House), Ystradowen</b>
Proposal:	Erection of a dwelling house complete with a detached garage/store - amendments to permission 06/00173/FUL.
Decision:	Appeal Allowed
Date:	22 April 2008
Inspector:	Robert Gardener
Council Determination:	Delegated

## Summary

The application subject of this appeal sought an amendment to the layout of the access to a new dwelling that had already been granted planning permission by virtue of a previous application. The main issue in this appeal was, therefore, whether the proposed access scheme and associated works would be an unjustified intrusion into the countryside which would adversely affect the landscape and detract from rural character of the locality.

In allowing the appeal the Inspector felt that the overall harm the proposed alterations caused to the landscape and rural character of the locality could be reduced by the implementation of the approved landscaping scheme to a level where the UDP objectives are not prejudiced and through which the marginal highway safety benefits of the proposed scheme should prevail.

---

L.P.A. Reference No:	2007/00600/FUL
Appeal Method:	Written Representations
Appeal Reference No:	07/2061808
Appellant:	Leslie D. T. Burford,
<b>Location:</b>	<b>10, Illtyd Avenue, Llantwit Major</b>
Proposal:	3 bedroom house attached to 10, Illtyd Avenue
Decision:	Appeal Allowed
Date:	1 April 2008
Inspector:	Robert Gardener
Council Determination:	Delegated

## Summary

The application subject of this appeal proposed the addition of a third dwelling on a pair of semi detached dwellings occupying a corner plot. The main issues were, therefore, the effect of the proposal on the character and appearance of the existing semi-detached house, its relationship with its adjoining neighbour and on the locality generally. A second issue was whether there would be adequate amenity space for the occupants of both the existing and proposed houses.

The Inspector did not agree with the Council's concerns over the creation of a terrace of properties being out of character with the area. He considered that in view of the examples of terrace properties and the variety of scale of dwellings within the vicinity, the terracing effect proposed would not appear harmfully out of place. Furthermore, he did not consider that the development would erode the spacious setting of the houses and thereby the character of the area. On this first issue, the Inspector concluded that the proposal would not constitute overdevelopment of the plot with the harmful consequences which Council policy seeks to avoid.

On the second issue, the Inspector considered the proposed garden space for both plots in line with the Council's Supplementary Planning Guidance. Whilst he recognised that the amenity space was below standard, he considered this a case where these standards could be relaxed. The Inspector also found the parking arrangements to be acceptable, subject to conditions.

---

L.P.A. Reference No: 2007/00743/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 07/2061791  
Appellant: Noel & Ann Thomas,  
**Location:** **Court Farm, Llansannor**  
Proposal: Construction of 3 detached houses  
Decision: Appeal Dismissed  
Date: 1 April 2008  
Inspector: Robert Gardener  
Council Determination: Committee

## Summary

There was a principal policy objection to the application subject of this appeal in that the application proposed the erection of three new dwellings in the open countryside without any agricultural or forestry justification. The Inspector wholly agreed with this fundamental policy objection to the development.

In addition to this, there were issues of the visual impact of the development. The Inspector considered the development to create a significant urbanising presence unrelated to either the local form of development or the function of the countryside. He did not agree with the appellant that the new dwellings should be treated as either infilling or rounding-off the existing pattern of development. Rather, they would appear as further dwellings added in a sporadic fashion in the large spaces which have been formed between the listed barns and the former farmhouse and The Lodge. In the Inspector's view this development would be harmfully intrusive and out of keeping with the landscape qualities of the area.

Furthermore, the Inspector did not find any support for the development on sustainability grounds. He found the development to be remote and there was no evidence to substantiate the claim made that additional dwellings here would help sustain the local community in any meaningful way.

In conclusion, the Inspector shared the Council's view that the proposal would harm the rural character of the area and landscape in an unsustainable location. In these terms he found the proposal contrary to the Council's adopted policies concerning the location of new residential development. In addition, he considered that it would be an inappropriate addition to the setting of the listed buildings with which they would be closely related.

---

## (d) Enforcement Appeal Decisions

L.P.A. Reference No: ENF/2006/0337/PCENF/2006/0337/PC  
Appeal Method: Written Representations  
Appeal Reference No: C/07/1201606  
Appellant: Joyce Rendall,  
**Location:** **48, Redbrink Crescent, Barry Island**  
Proposal: The construction without planning permission of a two storey extension and the provision of a box dormer window, to the rear of the building known as 48 Redbrink Crescent  
Decision: Appeal Withdrawn  
Date: 21 April 2008  
Inspector: Mr. A. H. Vaughan  
Council Determination: Committee

## Summary

Appeal Withdrawn.

---

(d) April 2008 – March 2009 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
Planning Appeals (incl. tree appeals)	WR	3	3	6	1
	H	-	-	-	-
	PI	-	-	-	-
Planning Total		3 (50%)	3 (50%)	6	1
Enforcement Appeals	WR	-	-	-	1
	H	-	-	-	-
	PI	-	-	-	-
Enforcement Total		-	-	-	1
All Appeals	WR	3	3	6	2
	H	-	-	-	-
	PI	-	-	-	-
Combined Total		3	3	6	2

### Background Papers

Relevant appeal decision notices and application files (as detailed above).

### Contact Officer:

Justina M Walsh, Tel: 01446 704690

### Officers Consulted:

Head of Planning and Transportation

ROB QUICK  
DIRECTOR OF ENVIRONMENTAL  
AND ECONOMIC REGENERATION