



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/02/2022

gan Melissa Hall BA(Hons), BTP, MSc,
MRTPI

**Arolygydd a benodir gan Weinidogion
Cymru**

Dyddiad: 11/03/2022

Appeal Decision

Site visit made on 03/02/2022

by Melissa Hall BA(Hons), BTP, MSc,
MRTPI

**an Inspector appointed by the Welsh
Ministers**

Date: 11/03/2022

Appeal Ref: CAS-01373-X7B6F7

Site address: Argoed Fawr Farm, Argoed Fawr Farm Lane, Argoed NP12 0AD

**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 E Branfield against the decision of Caerphilly County Borough Council.
- The development proposed is a detached garage.

Decision

1. The appeal is allowed and planning permission is granted for a detached garage in accordance with the terms of the application, Ref 21/0598/FULL dated 1 June 2021 and the plans submitted with it subject to the following conditions:
 - (i) The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 - (ii) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Refs SL.01 Proposed Site Layout, GRG.01 Proposed Plan and Elevations.

Reason: To ensure that the development is carried out in accordance with the approved plans and drawings submitted with the application.
 - (iii) Prior to the construction of the external surfaces of the development hereby approved, details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and to comply with LDP Policy CW20.

Preliminary Matters

2. Planning permission was granted for the change of use of the existing barn on the site to a residential dwelling in 2018¹ and, as I understand it, conditions were attached to that permission withdrawing permitted development rights². It is the Council's contention that the purpose of the corresponding conditions was to control future development, such as that proposed here. At the time of my site visit, work was well advanced on the conversion of the barn albeit, to my knowledge, it is yet to be substantially completed or occupied. I have not been provided with the full schedule of conditions and there is no evidence before me as to whether the relevant conditions subsist or are capable of taking effect. In any event, an application for full planning permission for the detached garage was made and it is on this basis that I have considered the appeal.

Main Issue

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

Reasons

4. The appeal site lies in an open countryside location and outside settlement boundaries defined by the adopted Caerphilly County Borough Local Development Plan (LDP) 2010. The existing barn on the site stands in relative isolation, surrounded by agricultural fields which are delineated by mature hedgerows and trees. Access to the site is over a private unmade track off a single width country lane. A Public Right of Way (PRoW) runs along the access track before crossing the appeal site immediately to the west of the barn and onwards in a northerly direction.
5. The Council cites conflict with LDP Policy CW20, which states that the conversion, extension or replacement of a building outside settlement boundaries will be permitted where the specified criteria are met. I note that the policy does not make particular reference to outbuildings. Nevertheless, I consider that the thrust of the policy to ensure that a development's use, scale, form, siting, design and materials are suitable within its context would be relevant to that before me insofar as the proposed garage would be directly associated with a consented scheme for the conversion of a rural building.
6. Be that as it may, the Council has also made reference to its Supplementary Planning Guidance LDP 10 'Buildings in the Countryside', which specifically deals with the development of ancillary structures to residential buildings in the countryside. It advises that '*...structures such as garden sheds, summerhouses, outbuildings or greenhouses may result in the domestication or urbanisation of the setting and will therefore be strictly controlled.... Only those structures that are ancillary to the residential use and can be accommodated without harm to the setting of the area will be permitted*'³.
7. The proposed garage would be sited to the south east of the parking / turning area, forward of the barn albeit set-off to one side of the access track such that it would not disrupt views of the side elevation of the barn on the approach.
8. I saw that work to convert the barn is ongoing such that it can already be readily identified as a dwelling. Boundary treatments clearly define the residential curtilage and slabs have been laid forward of the elevation facing the access track which wrap around the east facing side elevation to form a patio area. The parking and turning area have a loose

¹ Planning permission Ref 17/1057/FULL refers.

² The Town and Country Planning (General Permitted Development) Order 1995 refers.

³ Paragraph 7.1.1 of SPG 10.

gravelled surface. That is, the site as a whole has taken on a residential character and the addition of domestic paraphernalia that will inevitably come with its use as a dwelling will only serve to reinforce this change to the character and appearance of the immediate area.

9. In the context of the above, I do not consider that a garage of a relatively modest scale and form, with a timber clad finish and slate roof, that would be sited within the residential curtilage of a barn which is in the process of being converted to a dwelling would, of itself, constitute an 'urbanising' form of development. Rather, it would represent an appropriate response to the domestic requirements associated with the residential use of the barn. Although not positioned directly adjacent to the barn, it would be sited on the narrowest portion of the site and obscured from the approach, in part, by the existing boundary wall and vegetation. It would therefore be neither obtrusive nor prominent nor would it represent an alien feature in its otherwise domestic setting.
10. Whilst I do not dispute that public views of the development would be possible from the PRoW in particular, in my opinion, it would be read as an ancillary structure to the dwelling and would not therefore jar with the context of its surrounding.
11. Hence, I cannot conclude that it would have a harmful effect on the character and the appearance of the immediate area or the wider countryside and I do not therefore find conflict with the thrust of LDP Policy CW20 or the SPG.

Conclusion

12. For the reasons I have given, and having regard to all matters raised, the appeal is allowed.
13. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Melissa Hall

Inspector