



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19 Ebrill 2022

gan **I Stevens BA (Hons) MCD MRTPI**

**Arolygydd a benodir gan Weinidogion
Cymru**

Dyddiad: 25.05.22

Appeal Decision

Site visit made on 19 April 2022

by **I Stevens BA (Hons) MCD MRTPI**

**an Inspector appointed by the Welsh
Ministers**

Date: 25.05.22

Appeal Ref: CAS-01576-R4H4N8

Site address: Hensol Cottage, Welsh St Donats, CF71 7SS

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 grant of planning permission subject to conditions.
 - The appeal is made by Mr Gareth Lloyd against the decision of the Vale of Glamorgan Council.
 - The application Ref 2020/01504/FUL, dated 7 December 2020, was approved on 30 September 2021 and planning permission was granted subject to conditions.
 - The development permitted is retrospective application to regularise the "as built" development relative to planning permission ref 2019/00696/FUL for a proposed stable block/agricultural machinery store, and associated proposed additional changes, including changes to fenestration and internal changes.
 - The condition in dispute is No 1 which states that:
 1. The development shall be retained and completed in accordance with the following approved plans and documents:
 - Plan ref. 759/P/10, Revised Site Layout and Upgraded Field Access, Received: 8 December 2021
 - Plan ref. 759/P/81, Site Sections Indicating Finished Levels, Received: 19 February 2021
 - Plan ref. 759/P/80, Part Site Plan Indicating Finished Levels, Received: 19 February 2021
 - Plan ref. 759/P/31 C - Proposed Revisions to Complete Stable Block, Received: 4 August 2021
 - Schedule of Works (modifications to the 'as built' building), Received 1 September 2021
 - Image of wood cladding sample received by email from Geraint John: Received 1 September 2021
 - The reason given for the condition is: For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.
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Decision

1. The appeal is allowed and planning permission Ref 2020/01504/FUL, dated 7 December 2020 for retrospective application to regularise the "as built" development relative to planning permission ref 2019/00696/FUL for a proposed stable block/agricultural machinery store, and associated proposed additional changes, including changes to fenestration and internal changes at Hensol Cottage, Welsh St Donats, CF71 7SS is varied by deleting conditions 1 and 2 and substituting for them the new conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect that varying the disputed condition would have on the character and appearance of the area.

Reasons

3. The appeal building is located along the southern edge of a field parcel, to the west of Hensol Cottage. The appeal building is accessed separately from the cottage, via an unclassified road that runs along the southern boundary of the field. A public right of way is located to the southeast of the field at a crossroad. The field is in open countryside and located in the Ely Valley and Ridge Slopes Special Landscape Area (SLA).
4. Planning permission was granted for a stable block and agricultural machinery store within the field. The erected building differed from the approved plans and a retrospective application was then approved which regularised the development and associated changes. The disputed condition has a requirement to complete a schedule of works, which lists modifications to be made to the erected building. This appeal seeks to retain the slate roof cover, rather than replacing it with black corrugated sheet as per the schedule of works.
5. While I acknowledge that the slate roof differs from the approved plans, it is an attractive feature that contributes to the quality of design. It is not a dominant material or untypical feature of the building when viewed in the rural context. I have been presented with other examples of agricultural and stable buildings approved within the Council area which include slate roofs. While I do not have the full details of those schemes before me, it is evident from the submitted information that slate roofs are characteristic of buildings in the rural area and not confined to domestic buildings. I appreciate the Council's comments that slate may generally be found on historic rural buildings or new build dwellings and ancillary buildings. However, it is not a prerequisite or policy requirement for buildings with slate roofs to only be found on those types of buildings.
6. Having viewed the appeal building from inside and outside, including from the unclassified road and nearby public right of way where the building is viewed from behind a hedgerow boundary, I am satisfied that the use of a slate roof does not give it a domesticated appearance. The single-storey L-shaped form of the building, together with the features listed in the schedule of works such as the timber cladding and alterations to the openings to provide timber stable doors, give the building a simpler agrarian character which is appropriate to its rural context. The proposed alterations to the as-built roof, through removing the flue and rooflights, are also important features that seek to avoid a domesticated appearance.
7. The Council's Design in the Landscape Supplementary Planning Guidance (SPG), approved in 2006, lists a preferred palette of materials for structures in the rural Vale area. While the guidance is not a closed list, I note that slate roofs are included as a preferred material. This has been evident on my site visit, having viewed other properties and

buildings in the area. While the use of corrugated sheet roofs is not discouraged on agricultural and stable buildings, in this instance the slate roof is an appropriate material in the rural context.

8. I acknowledge the Council's concerns about domestication. Nevertheless, on my site visit it was evident that the schedule of works to modify the building was being implemented. The proposed stable block and agricultural machinery store is subject to compliance with planning conditions including the plans and schedule of works. The Council has also acknowledged that future monitoring of the building and a planning condition restricting its use to a stables and agricultural store, can help to ensure the building is not occupied for other uses. The use of a slate roof in this instance does not set a precedent for future schemes. Any alternative uses of the building would be subject to a separate planning application and determined against current planning policy and the merits of the individual case.
9. I conclude that varying the planning permission would not be harmful to the character and appearance of the area, and would comply with Policy MD2 of the Vale of Glamorgan Local Development Plan (LDP) 2011-2026, adopted June 2017, which states among other things that proposals should be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest; and respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density. Varying the planning permission would also comply with Policy MD1 of the LDP, which among other things, requires new development on unallocated sites to have no unacceptable impact on the countryside, and the Design in the Landscape SPG.

Conditions

10. As set out above, I have replaced condition 1 with a new condition that exempts the requirement to replace the roof covering from slate to corrugated sheet roof in black. By association it is also necessary to replace condition 2 with a new condition to reflect this.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.
12. 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.

I Stevens

Inspector

SUBSTITUTED CONDITIONS

- 1) The development shall be retained and completed in accordance with the following approved plans and documents:

Plan ref. 759/P/10, Revised Site Layout and Upgraded Field Access Details, Received: 8 December 2021

Plan ref. 759/P/81, Site Sections Indicating Finished Levels, Received: 19 February 2021

Plan ref. 759/P/80, Part Site Plan Indicating Finished Levels, Received: 19 February 2021

Plan ref. 759/P/31 C - Proposed Revisions to Complete Stable Block, Received: 4 August 2021

Schedule of Works (modifications to the 'as built' building), Received 1 September 2021 - Image of wood cladding sample received by email from Geraint John: Received 1 September 2021 with the exception of 'Replacement of the roof covering – from slate to corrugated sheet roof in black'.

Reason: For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

- 2) The alterations to the development as it exists on site, identified on Plan ref. 759/P/31 C, titled Proposed Revisions to Complete Stable Block and in document ref. Schedule of Works (modifications to the 'as built' building), with the exception of 'Replacement of the roof covering – from slate to corrugated sheet roof in black', shall be completed in full on site within six months of the date of this decision.

Reason: To protect visual amenity, the character of the open countryside and to satisfy the requirements of Policies SP1 Delivering the Strategy, MD1 Location of New Development and MD2 Design of New Development of the Vale of Glamorgan Local Development Plan, The Design in the Landscape Supplementary Planning Guidance and Technical Advice Note 12 Design.