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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 16/08/2022

gan Clive Sproule BSc MSc MSc  
MRTPI MEnvSci CEnv

Arolygydd a benodir gan Weinidogion  
Cymru

Dyddiad:12-10-2022

## Appeal Decision

Site visit made on 16/08/2022

by Clive Sproule BSc MSc MSc  
MRTPI MEnvSci CEnv

an Inspector appointed by the Welsh  
Ministers

Date:12-10-2022

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**Appeal Ref: CAS-01916-V9C4G3**

**Site address: 23 Marysfield Close, Marshfield, Cardiff, CF3 2TY**

**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 T Keay against the decision of Newport City Council.
  - The development proposed is the erection of single storey front and rear extensions.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension and internal alterations at 23 Marysfield Close, Marshfield, Cardiff, CF3 2TY, in accordance with the terms of the application, Ref 22/0091, dated 27/01/2022, subject to the following conditions:
  - 1) The development 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.*
  - 2) The development shall be carried out in accordance with the following approved plans and documents:  
Drawing no. B12199 – Sheet LP - Location Plan  
Drawing no. B12199 – Sheet 02 Revision A – Elevations and Plans  
Drawing no. B12199 – Sheet 03 – Existing and Proposed Site Plans  
*Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.*
  - 3) No development shall take place until a scheme for biodiversity enhancement has been submitted to and approved in writing by the local planning authority.  
Development shall be carried out in accordance with the approved details.

*Reason: In the interests of biodiversity in accordance with LDP policy GP5, Future Wales and section 6 of the Environment (Wales) Act 2016.*

- 4) The materials to be used in the construction of the external surfaces of the rear extension hereby permitted shall match those used in the existing building.

*Reason: In the interests of protecting the character and appearance of the locality in accordance with LDP policies GP2 and GP6.*

- 5) No window or door openings shall be formed in either side elevation of the rear extension hereby permitted.

*Reason: To protect the privacy of adjoining residents in accordance with LDP policy GP2.*

2. The appeal is dismissed insofar as it relates to the single storey front extension.

### **Procedural Matters**

3. This appeal concerns an application that the Council determined with a split decision in relation to the components of the proposal that are the subject of the description of development. The rear extension was approved, while the front extension was refused. The appeal is in relation to the application that was made, and therefore both elements of the proposed development are considered under this appeal. In determining the appeal, I have used the description of development included on the Council's decision notice as it more concisely reflects the development proposed.

### **Main Issue**

4. This is the effect of the proposed development on the character and appearance of the building and the locality.

### **Reasons**

5. Marysfield Close is a "no through road" residential street that widens out to a large turning and parking area where it terminates. Housing is laid out along the street and around this turning area. For the most part, the houses are in terraces. The appeal site is a mid-terrace dwelling at the end of the street and is visible in views taken toward and across the large turning area.
6. The two storey terraces and semi-detached houses in Marysfield Close share common architectural themes and materials in their designs. Even so, there is a certain amount of variety in the street scene through the architectural features and the materials used in the front elevations of the differing blocks of development. Modifications and extensions to the front elevations of the houses have added to the variety in the original architecture, as has the provision of front parking areas, boundary treatments and the associated maturing gardens.
7. For the most part, the existing porches/front extensions in this street occupy part of the front ground floor elevation of the dwelling, including the existing entrance porch into No.23. There is one ground floor extension on Marysfield Close that extends across the full width of the front elevation. However, it is not typical of the front additions in the street, nor does it set a precedent in this case as each proposal is considered on its own merits against relevant planning policies.
8. As ground floor extensions with lean to roofs onto the elevations above them, the appeal scheme would retain the parts of the front and rear elevations that contain the upper storey windows and roofline. The appeal proposal could also be finished in materials to match those of the existing elevations. However, the front extension would extend across

the full width of the front elevation. In doing so, it would noticeably depart from character provided by the built forms in Marysfield Close which, for the most part, maintain the predominance of the front elevation of the building and the contribution it makes to the character of the house and the street.

9. Consequently, while the front extension would follow the existing building line and be no deeper than the existing porch, I find that by its form, scale and location the front extension would be an unsympathetic addition to No.23 and the terrace that would be unacceptably harmful to the character and appearance of No.23 and the locality. As such, it conflicts with: policies GP2 and GP6 of the Newport Local Development Plan 2011-2026 ("LDP"), which seek good quality design that addresses the context of the site responds positively to the character of the area; the Council's "Supplementary Planning Guidance House Extensions and Domestic Outbuildings" ("SPG") which seeks to prevent front extensions that would be prominent in the streetscape; and the relevant parts of Planning Policy Wales (Edition 11).
10. In contrast, the proposed rear extension would appear as a logical addition to No.23 providing additional accommodation in a built form that would be expected in the private amenity space at the rear of a house of this type and design. Through its form, scale and location the proposed rear extension would maintain the character and appearance of the locality to comply with LDP policies GP2 and GP6 and the SPG.

### **Other Matters**

11. The proposed development would utilise the existing front porch along with areas of front and rear amenity space to provide additional accommodation within No.23, including increased circulation space around the area of the front door and base of the stairs. Nevertheless, the dwelling has been functional without the extensions currently proposed.
12. The appeal scheme proposes two extensions. By their location and the nature of their use, the proposed rear extension to provide a dining area next to the kitchen and the proposed extension to provide additional living accommodation at the front of the dwelling are physically and functionally separate elements of the appeal scheme. Therefore, a split decision could be made in this case.
13. Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities, in carrying out their functions, to seek to maintain and enhance biodiversity. Given the nature of the development proposed in this case, if the appeal were to be allowed in whole or part, in addition to the conditions imposed by the Council, a condition would be necessary to address biodiversity enhancement.

### **Conclusion**

14. All matters raised in this case have been taken into account. For the reasons given above, I conclude that the appeal should succeed in part only. In relation to the part of the appeal scheme for a single storey rear extension, if suitable planning conditions were to be imposed, no matters have been found to outweigh the lack of harm and associated policy compliance, and it should be allowed.
15. In relation to the part of the proposed development for a single storey front extension, no matters, including the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. Accordingly, the part of the appeal in relation to the proposed single storey front extension should be dismissed.
16. 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.

*Clive Sproule*

Inspector