



## Appeal Decision

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by H W Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/02/2023

Appeal reference: CAS-02159-S2N0T9

Site address: 9 Duffryn Oaks Drive, Pencoed, Bridgend, CF35 6LZ

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- 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 Ryan Richardson against the decision of Bridgend County Borough Council.
  - The application (ref: P/22/228/FUL), dated 22 February 2022, was refused by notice dated 6 July 2022.
  - The development proposed is a dining room extension.
  - A site visit was made on 20 December 2022.
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### Decision

1. The appeal is allowed and planning permission is granted for a dining room extension at 9 Duffryn Oaks Drive, Pencoed, Bridgend, CF35 6LZ, in accordance with the terms of the application (ref: P/22/228/FUL), dated 22 February 2022, subject to the conditions set out in the attached schedule.

### Main Issues

2. The main issues are the effect of the proposed extension on:
  - (i) the character and appearance of the area; and
  - (ii) the living conditions of residents in terms of outdoor amenity space provision.

### Reasons

#### *Character and Appearance*

3. The appeal property lies within a modern residential estate. Most of the dwellings display a degree of visual cohesiveness in terms of their external materials, however there is a significant degree of variation in architectural detailing, layout and building form, with variations of mainly 2 and 3 storey properties. The steep topography has influenced a generally informal layout.
4. The host dwelling occupies a prominent position on the inside of a sharp bend in the estate road which wraps around the front, side and rear boundaries rising steeply as it does so. The main part of the dwelling, including a two-storey forward projecting feature,

is separated from the nearest neighbour by a lower level single-storey garage. The position of the dwelling means that it is visually distinct from its neighbours.

5. The proposed extension would be on the side elevation facing the estate road. My site visit confirmed that the site of the proposed extension has been levelled and hardsurfaced with works undertaken to re-contour the adjacent grounds including a retaining wall structure. The single storey extension would appear as a subservient addition to the host dwelling respecting its character in terms of form and the finish of the roof. Most of the walls would be finished in stone, a feature of several nearby properties.
6. In the context of the local variation in house designs the addition would not appear out of place. The proportions of the roof would replicate that of the main roof. The introduction of a wide glazed opening and glazing within the upper part of the side elevation would not appear incongruous in the context of the local variation in fenestration, most notably immediately to the rear of the site.
7. Therefore, I consider that in terms of its detailing and scale it harmonises with the host dwelling. It also respects the original character of the house and its place in the street scene. Accordingly, it aligns with the advice in the Council's Supplementary Planning Guidance (SPG) 2: Householder Development, particularly Notes 11 and 12.
8. On this main issue I find that the scheme would not harm the character or appearance of the area. As it would respect and enhance local character and distinctiveness and would be of an appropriate scale, size and prominence it would align with policy SP2 of the Bridgend Local Development Plan (LDP).

#### *Living Conditions*

9. The extension would result in the loss of part of the property's outdoor amenity space. The Council points out that it is particularly valuable given that it is flat whereas the rear garden is steeply sloping. It is not however an area that enjoys greater privacy than the rear garden, which is partly screened by a boundary fence. The appellant has undertaken ground works to facilitate the use of the rear garden of the property and I noted evidence of its use as a patio area. The property would also retain open space to the front and side of the proposed extension and recent boundary planting will in time improve the screening of these areas.
10. In relation to the second main issue, the scheme would not deprive occupants of adequate garden area for their private use and thus would not harm their living conditions. As such it does not conflict with Note 8 of SPG02, nor does it conflict with policy SP2 which includes ensuring that the amenity of neighbouring uses is not adversely affected.

#### **Conclusion**

11. For the reasons given above I conclude that the appeal should be allowed subject to the conditions suggested by the Council.
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 the Welsh Ministers' well-being objective to make our cities, towns and villages even better places in which to live and work.

*H W Jones*

INSPECTOR

## SCHEDULE OF 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 plan:  
Drawing No. RR/02 dated 2/22  
*Reason: To ensure the development is carried out in accordance with the approved plan submitted with the application.*
3. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.  
*Reason: To ensure that the proposed external materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area in accordance with policy SP2 of the Bridgend Local Development Plan.*
4. No development shall take place until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.  
*Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.*