



Appeal Decision

by I Stevens BA (Hons) MCD MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 23/03/2023

Appeal reference: CAS-02457-R7K9Y1

Site address: 51 The Parade, Barry CF62 6SF

- 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 David Davey against the decision of Vale of Glamorgan Council.
 - The application Ref 2022/1039/FUL, dated 19 September 2022, was refused by notice dated 28 November 2022.
 - The development proposed is loft conversion including replacement of front aspect Velux window with 2 Velux cabrio windows, elevated side aspect Velux and elevated rear aspect Velux above new internal stairwell for additional natural light into loft.
 - A site visit was made on 27 February 2023.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of proposed development, as used in the Council's decision notice and appellant's appeal form, refers to two cabrio windows on the front elevation. However, the submitted plans indicate that only one of the windows would be cabrio style. I have determined the proposal based on the plan details.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Barry Marine Conservation Area.

Reasons

4. The appeal site comprises a semi-detached two-storey dwelling with attached single-storey flat roofed garage. The predominantly residential area has a pleasant character derived from its coastal location and where nearby detached and semi-detached dwellings along The Parade share similar characteristics including white rendered walls and slate roofs.

5. The property is in the Barry Marine Conservation Area. The Barry Marine Conservation Area Appraisal and Management Plan (CAAMP), dated July 2009, identifies the appeal property as part of a group of unlisted 'positive buildings' along the same side of The Parade that are recognised as part of the planned development of the Garden Suburb from the 1930s. The CAAMP states that the group of buildings make a positive contribution to the special architectural or historic interest of the conservation area. Other positive features of note in the CAAMP include the presence of slate roofs in the immediate area. The CAAMP adds that minor alterations to dwellings in the area have resulted in the incremental loss of character.
6. There is a small rectangular roof light on the property's front elevation roof slope. This would be replaced with two larger roof lights, along with new roof lights on the side and rear elevations. The Council considers that the proposed side and rear elevation roof lights would have a minimal impact on the street scene and would not be detrimental to the character and appearance of the conservation area. Having visited the appeal site and observed the surrounding area, I see no reason to disagree with the Council on this. As such, the outstanding issue concerns the proposed roof lights on the front elevation.
7. The combined area of the proposed roof lights would be approximately 2.3m high and 2.4m wide, occupying a large section of the roof. The scale and form of the roof lights would be visually dominant along the roof plane, drawing the eye and appearing as unsympathetic additions in stark contrast with the detailing of other openings on the property's front elevation. This harmful effect would be reinforced by the projection of the cabrio window out from the slate roof slope, when fully opened.
8. The windows would be prominently located on the front elevation. They would be highly visible from The Parade and the junction of Cold Knap Way, which lies directly opposite the appeal site. I observed that some nearby properties along The Parade have roof lights. However, they differ from the appeal proposal in scale and form and the few instances on front roofs do not dominate or define the character of the area. By contrast, the proposed rooflights would be incongruous additions to the roof slope and detract from the traditional appearance of the host building and the coherence of its neighbouring group of properties, as identified in the CAAMP.
9. The appellant has referred to examples of front elevation alterations to dwellings in the wider conservation area. There are physical differences between these and the appeal proposal, and I do not have full details of those schemes before me, including any planning permissions where applicable. In any event, each development must be considered on its own merits. I also recognise that statutory consultees and neighbours have not raised any objections to the proposed development. However, considering the statutory requirements for special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area this does not justify development that would otherwise be harmful. The appellant's reference to discussions with the Council on amended plans has no bearing on this decision as I have considered the proposal on the submitted plans that formed the basis of the Council's determination.
10. I conclude that the proposal would fail to preserve or enhance the appearance of the Barry Marine Conservation Area. It is therefore contrary to Policies SP10 and MD2 of the Vale of Glamorgan Local Development Plan (LDP), adopted June 2017.

Other Matter

11. The Council has not taken issue with the effect of the proposal on the living conditions of the occupants of neighbouring properties. Nevertheless, this matter does not outweigh the harm to the character or appearance of the appeal dwelling and surrounding area in the balance of acceptability.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed. 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