



Appeal Decision

by Victoria Robinson BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 28/06/2023

Appeal reference: CAS-02661-F1B2G8

Site address: The Blossom, Wern Fawr Lane, Old St Mellons, Cardiff, CF3 6XJ

- 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 G. S. Pannu against the decision of Cardiff Council.
 - The application Ref 22/02998/HSE, dated 15 December 2022, was refused by notice dated 20 March 2023.
 - The development proposed is a detached single garage.
 - A site visit was made on 1 June 2023.
-

Decision

1. The appeal is allowed and planning permission is granted for a detached single garage at The Blossom, Wern Fawr Lane, Old St Mellons, Cardiff, CF3 6XJ, in accordance with the terms of the application, Ref 22/02998/HSE, dated 15 December 2022, subject to the conditions set out in the schedule to this decision letter.

Main Issue

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

Reasons

3. The appeal site relates to a recently constructed two-storey detached dwelling on the corner of Wern Fawr Lane and Ty'r Winch Road. The area around the site has a suburban character with a mix of residential properties varying in age and architectural style. The appeal property fronts Wern Fawr Lane which has a mixed pattern of built development and a variety of heights and types of boundary treatment.
4. The appeal property is set back from the road with a large front garden enclosed by a hedgerow along the western boundary and part of the southern boundary with the remainder comprising a boundary wall with piers and a gated access. The two dwellings immediately to the east are also set back with large front gardens but have more open frontages due to low level vegetation and boundary walls, beyond which the next dwelling is sited further forward and has a high hedge and gated access. In contrast, the dwellings further east and opposite the appeal site turn their backs or sides to the road and are enclosed by continuous boundary walls, fences and hedges enclosing rear or

side gardens. Therefore, there is not a strong or consistent building line or sense of openness to the road defining the character of the area in which the appeal site sits.

5. The proposal is for the erection of a single garage to be sited in front of the dwelling in the southwest corner of the site. The garage would be a simple pitched roof design with a rendered finish to match the main dwelling.
6. The Council's Supplementary Planning Guidance: Residential Extensions and Alterations (SPG) provides guidance in support of Policy KP5 of the Cardiff Local Development Plan (LDP). The SPG advises new garages should not project forward of the house, however, this is only guidance and should be applied with consideration to the specifics of the site and the development.
7. The site does not have an open frontage at present being enclosed by high hedging which currently screens much of the site from Ty'r Winch Road. Therefore, the garage would be mainly visible from Wern Fawr Lane, where it would be viewed in the context of the taller more substantial house behind it. Given the mixed pattern of development in the street, the siting of the proposed garage to the front of the house would not harm the character and appearance of the area. Furthermore, its proportionate scale and responsive design would be appropriate in relation to the dwelling and its surroundings, moderating its visual impact.
8. The submitted tree survey identifies that tree cover is sparse, with the boundary hedge providing the only tree cover on site comprising no high or moderate value (Category A and B) trees. Whilst there are no statutorily protected trees or hedgerows on the site, LDP policies recognise the environmental benefits that natural heritage assets provide. Nonetheless, the tree survey demonstrates that the siting of the garage is unlikely to cause any harm to the hedge which is shown to be retained on the proposed plans. The proposal would not therefore adversely affect the trees or hedgerows on site. I have also had regard to the increased amount of built development on site resulting from the proposed garage and the consequential reduction in soft landscaping and vegetated soils, but given the limited footprint of the garage, this would not have a significantly harmful effect.
9. For the above reasons I conclude that the proposed development, by virtue of its siting, scale and design, would not harm the character and appearance of the area. It would therefore accord with Policies EN8, KP5, KP15 and KP16 of the Cardiff Local Development Plan and SPG.

Conditions

10. The Council suggest a condition requiring details of planting and soil assessment. Whilst the Appellant is agreeable to a condition requiring a landscaping scheme, having regard to my findings above this is not reasonable or necessary. However, a condition identifying the approved plans as well as one requiring biodiversity enhancement are necessary.

Conclusion

11. For the reasons given above, and having regard to all 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 the Welsh Ministers' well-being objective to make our cities, towns and villages even better places in which to live and work.

SCHEDULE OF CONDITIONS

1. The development shall begin not later than five years from the date of this decision.

Reason: In accordance with the provisions of 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:

- Location Plan 'T2568/PA/01'
- Block Plan 'T2568/PA/02'
- Proposed Garage 'T2568-PA-03'
- Tree Survey, Impact Assessment and Protection Plan, dated 03/04/23

Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.

3. 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.