



Appeal Decision

by Mr A Thickett BA (Hons) BTP Dip RSA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 02/10/2023

Appeal reference: CAS-02869-Q9Y5D4

Site address: 30 Parracombe Crescent, Llanrumney, Cardiff, CF3 5LT

- 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 M Bruno against the decision of City of Cardiff Council.
 - The application Ref 23/00476/HSE, dated 1 March 2023, was refused by notice dated 26 June 2023.
 - The development proposed is to erect a carport to the side & front elevations. The carport would be open on all sides. Roof would be inside of the carport frame. Frame would be aluminium construction and would incorporate a gutter system.
 - A site visit was made on 26 September 2023.
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Decision

1. The appeal is allowed and planning permission granted subject to the conditions in the schedule at the end of this decision.

Main Issue

2. The main issue is the impact of the proposed development on the street scene in Parracombe Crescent.

Reasons

3. The appeal property is an end of terrace house on the corner of Parracombe Crescent as it turns into an attractive green. As a corner plot the house shares building lines with the terrace fronting the green and a pair of houses to the north on Parracombe Crescent.
4. The proposed car port would wrap around the front and side of the house, extending beyond both building lines. The Council's Residential Extensions and Alterations Supplementary Planning Guidance (SPG) states that on corner plots, to avoid creating a tunnel effect, extensions should adhere to the building line along both of the streets to which it relates. However, the houses on the opposite side of Parracombe Crescent front the road. It is highly unlikely that these properties would be permitted to extend towards the road such that a tunnel effect would occur.
5. By extending beyond the existing building line the car port would encroach into the space created by the position of the buildings on either side of the Crescent at this corner. However, there would still be a generous amount of space between the car port and the

road to the front and side of the property. Further, due to its light frame and open sides, the existing building lines would not be prejudiced to any significant degree and one would still be able to appreciate the sense of space at the corner.

6. There would be nothing else like the proposed car port in the Crescent but being different is not necessarily harmful. The appellant's illustrations show how the finish of the proposed car port would complement the contemporary fenestration and rendering of the appeal property. I conclude, therefore, that the proposed development would not have an adverse impact on the street scene in Parracombe Crescent and that it complies with Policy KP5 of the Cardiff Local Development Plan 2006 to 2026, adopted 2016.

Conditions

7. I have considered the Council's suggested conditions in light of the advice in Circular 16/14. The appeal application proposes the construction of a car port to serve an existing dwelling with existing off street parking. The Circular warns that a condition will not be relevant to a development if it attempts to control something not created by it in the first place. It is not reasonable, therefore, to use this permission to place a limit on the number of cars that may be parked at the property.
8. The proposed development is a car port with open sides and I am struggling to think what use not incidental to the enjoyment of the dwelling house it could be put to. Nor have I seen or read anything to suggest it would be used for anything other than a car port. A condition restricting its use is unnecessary as is a condition relating to a hardstanding as this is already in place.
9. The Council do not seek the imposition of a condition requiring biodiversity enhancement but it is a requirement of Policy 9 of Future Wales that this be provided in all new development.

Conclusion

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

A Thickett

Inspector

Schedule

CAS-02869-Q9Y5D4

The appeal is allowed and planning permission granted for a carport to the side & front elevations. The carport would be open on all sides. Roof would be inside of the carport frame. Frame would be aluminium construction and would incorporate a gutter system at 30 Parracombe Crescent, Llanrumney, Cardiff, CF3 5LT, in accordance with the terms of the application, 23/00476/HSE, dated 1 March 2023, subject to the following conditions:

1. The development shall begin no 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:

1:1250 Location Plan; 30 Parracombe Crescent

Proposed Layout and Dimensions

Front, side and rear elevations; 1:100 Scale Print at A4

Reason: To ensure the development is carried out in accordance with the approved plans and drawings 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 enhancing biodiversity, in accordance with Future Wales Policy 9.