



Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 10/11/2023

Appeal reference: CAS-02902-W0C4D8

Site address: 6 Long Acre Gardens, Mayals, Swansea, SA3 5JS

- 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 Tom Brogan against the decision of the City and County of Swansea Council.
 - The application Ref 2023/1198/FUL, dated 30 May 2023, was refused by notice dated 12 July 2023.
 - The development proposed is replacement detached garage.
 - A site visit was made on 11 October 2023.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the appeal was made, national planning policy contained in Chapter 6 of Planning Policy Wales Edition 11 (PPW) has been updated. This includes securing a net benefit for biodiversity and ecosystem resilience through a stepwise approach. The parties' views were sought in relation to this revision in policy, and comments were received from the Council which I have taken into account.

Main Issues

3. These are the effects of the proposed development on:
 - i) the character and appearance of the area; and
 - ii) ecological interests.

Reasons

Character and appearance

4. The appeal site relates to a semi detached dwelling with a long drive and front garden, located within a small cul de sac of dwellings with similarly deep front gardens and

driveways. Owing to this, the cul-de-sac has a verdant appearance and an attractive open and spacious layout and character.

5. Policy PS 2 of the Swansea Local Development Plan (LDP) seeks to, amongst other things, ensure that developments enhance the quality of places and spaces, and respond positively to aspects of local context and character that contribute towards a sense of place. The Council's Supplementary Planning Guidance Placemaking Guidance for Householder Development (SPG) advises that a garage or outbuilding must be smaller in scale and subservient to the main house. It advises that garages and outbuildings should not generally be positioned in front of the main house unless it forms part of the character of the area.
6. Although the proposal would replace an existing garage, the proposed replacement building would be significantly larger. It would more than double its width and almost double its height. Its footprint would also be a comparable size to the footprint of the main dwelling. Although the front garden would be physically able to accommodate such a large building, in the context of the open and spacious frontages, the proposal would result in a bulky and prominent structure, which, despite the use of matching materials would compete visually with the host dwelling. The proposal would therefore result in a visually dominant building out of scale and character with the existing dwelling, and the pleasant open layout of the cul de sac.
7. I conclude that the proposed development would cause significant harm to the character and appearance of the area, contrary to policy PS 2 of the LDP and the objectives of the SPG.

Ecological Interests

8. The updated chapter 6 of PPW provides further clarity on securing a net benefit for biodiversity through a step wise approach. Amongst other things it aims to protect and enhance habitats and biodiversity and to improve the overall resilience of ecosystems, recognising that enhancement should be proportionate to the scale and nature of the development proposed. LDP Policies ER 8 and ER 9 are consistent with these objectives.
9. The proposal includes the demolition of the existing garage, that given its age and traditional construction and its location close to trees and woodland, has the potential to be used by bats. Moreover, the proposal would be sited partly within the Mayals Green Corridor Site of Importance for Nature Conservation (SINC). No Preliminary Roost Assessment (PRA) has been submitted, and neither is there any cogent information that establishes the baseline state of biodiversity and the ecosystem resilience of the site. Consequently, there is little understanding of the ecological context of the proposed development. In the absence of such information, I do not consider that a condition to require biodiversity enhancement would be appropriate in this case.
10. I conclude therefore that the proposal fails to demonstrate that there would be no harm to protected species or that it would deliver a net benefit for biodiversity and ecosystem resilience. It would therefore be harmful to ecological interests contrary to Policies ER 8 and ER 9 of the LDP and PPW.

Conclusion

11. For the reasons set out above, and having regard to all matters raised, the appeal is dismissed.
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

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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 Smith

INSPECTOR