



Appeal Decision

by Zoe Baxter BSc, MSc, MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 21/06/2024

Appeal reference: CAS-03189-X3N4J4

Site address: Greenacres, Morfa Lane, Wenvoe, Vale of Glamorgan, CF5 6AE

- 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 Dr Akram Baig against the decision of The Vale of Glamorgan Council.
 - The application Ref 2023/00816/FUL, dated 24 August 2023, was refused by notice dated 17 October 2023.
 - The development proposed is a first-floor extension and two storey side extension to existing garage.
 - A site visit was made on 3 June 2024.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the rural character and appearance of the area and the impact on the countryside.

Reasons

3. The appeal site is an existing single storey triple garage building located within the curtilage of a large, detached property Greenacres. The garage is situated to the northeastern corner of the site, at the end of the lengthy driveway serving the property. The site is situated outside of the Wenvoe settlement boundary as defined in the Vale of Glamorgan Adopted Local Development Plan (LDP) and is therefore classed as being within the countryside. Neighbouring properties are located to the east of the site and are of varying size and appearance.
4. Amongst other matters, Policy MD2 of the LDP requires proposals to respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density and to protect existing features of landscape interest. Policy MD12 contains criteria relating to extensions to dwellings in the countryside which primarily seek to protect the rural character. It also indicates that extensions should not be disproportionate in size to the original dwelling or have a materially greater impact on the landscape.
5. The proposed development is a sizeable extension to the existing detached garage comprising a first-floor extension and a two-storey side extension. Whilst the proposal would not result in a significant increase in the footprint of the building, the extensions in combination would significantly alter the scale, appearance and relationship of the

existing ancillary garage with the host dwelling. The height and width increase would result in a large outbuilding which would be disproportionate in scale to the host dwelling. Despite it being situated over 10m away and within the property's large curtilage, its scale would not be subservient to or complement the host dwelling.

6. The side extension would have a gable fronted apex window at first floor along with floor to ceiling glazing at ground floor. Above the garage doors would be Juliette balconies to the front, side and rear elevations. Whilst I note roof tiles are to match the existing dwelling, the significant amount of glazing proposed would result in a modern finish contrary to and at odds with the more traditional appearance of the host dwelling. The design, coupled with its scale would result in it appearing as a separate dwelling rather than an outbuilding to the host dwelling. As a result, the appearance of the proposed development, along with its incongruous scale and relationship with the host dwelling would not amount to good design contrary to Technical Advice Note (TAN) 12: Design. The mixed design and appearance of neighbouring properties on Morfa Lane would not mitigate the incompatible scale and design of the proposed garage compared to the host dwelling. As such, it is this conflict which would harm the rural character and appearance of the area.
7. Whilst the development relates to an extension to an existing curtilage building, given the site's location outside of the settlement boundary, the impact of new development on the countryside, and therefore LDP Policy MD1, is a relevant consideration. Although the host dwelling and existing garage are largely screened when viewed from the surrounding countryside, I observed on my site visit that the roof of the dwelling is visible from Port Road and the public footpath to the north of the site. Whilst the existing garage is presently screened by trees along the site's northeastern corner, the proposed development would result in it being substantially higher and larger, increasing its visibility from public viewpoints. Furthermore, when the trees are not in leaf views of the garage extension would be more readily available. The significant increase in scale, height and the prominent design would result in the garage not appearing as an ancillary building and would appear as a separate dwelling which would be perceived as a material incursion of land within the open countryside from public vantage points.
8. The appellant refers to nearby recent developments permitted by the Council which they cite have a greater visual impact on the surrounding rural area. Little information has been provided in respect of these schemes. Nevertheless, the more recent developments on Port Road I saw on my site visit had little visual influence on the immediate context of the appeal development which I have therefore determined on its merits. I note the appellant's willingness to accept conditions relating to occupancy and landscaping. However, I am not persuaded that conditions would mitigate the harm I have found due to the scale and design of the proposed garage extension.
9. I conclude that the proposal would be harmful to the rural character and appearance of the area and the countryside, contrary to Policies MD1, MD2 and MD12 of the LDP and TAN12. For the above reasons, and having regard to all matters raised, the appeal is dismissed.
10. 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.

Zoe Baxter

INSPECTOR