



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 26/04/18

gan **Richard Jenkins BA (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 21.05.2018

Appeal Decision

Site visit made on 26/04/18

by **Richard Jenkins BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 21.05.2018

Appeal Ref: APP/E6840/D/18/3199444

Site address: 40A Main Road, Portskewett, NP26 5SA

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 Andrew Jerrum against the decision of Monmouthshire County Council.
 - The application Ref: DC/2017/00651, dated 30 May 2017, was refused by notice dated 10 January 2018.
 - The development proposed is the erection of a two storey annexe.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey annexe at 40A Main Road, Portskewett, NP26 5SA in accordance with the terms of the application, Ref: DC/2017/00651, dated 30 May 2017, subject to the following conditions:
 - 1) The development shall begin not later than five years from the date of this decision.
 - 2) The development shall be carried out in accordance with the following approved plans and documents: *162403 Rev 5 Proposed Site Plan; 162402 Rev 5 Proposed Block Plan; 162401 Rev 3 Location Plan; and 162404 Rev 8 Proposed Plans, Elevations and Sections.*
 - 3) The annexe accommodation hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 40A Main Road, Portskewett, NP26 5SA.
 - 4) Before the development hereby permitted is brought into use, the first floor window located in the west elevation and the stairway first floor window in the east elevation shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority. The windows shall be permanently retained in that condition thereafter.

Application for Costs

2. An application for costs has been submitted by the appellant against the Local Planning Authority. This application is the subject of a separate Decision.
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Main Issue

3. This is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. The appeal relates to a detached residential property that forms part of a development of two dwellings located off the public highway, behind No.40 Hollyberry House which is located along Main Road in Portskewett. The appeal proposal seeks planning permission to erect a two storey annexe to the side of No.40A Main Road for occupation by the appellant's elderly relatives. The annexe would take the form of a pitch roofed structure with a link roof to the main dwelling. Proposed materials would match the host property.
5. The Council contends that, by virtue of its size and design, the proposed annexe would create an incongruous and jarring form of development in relation to the parent dwelling and that it would therefore fail to preserve the character of the setting of that property and the surrounding area. Nevertheless, whilst the pitch of the roof would be orientated at right angles to that of the corresponding feature on the main dwelling, I was able to confirm at the time of my site inspection that the annexe would sit comfortably to the side of the host dwelling and that it would be largely concealed from public vantage points. In addition to this, the annexe would, by reason of its scale, form and overall design, retain subservience to No.40a when viewed from private land surrounding the appeal site. In this respect, I do not consider that it would represent an incongruous or jarring form of development as submitted by the LPA.
6. I have considered the impact of the proposed annexe on the living conditions of the occupiers of neighbouring residential properties. However, by virtue of its siting at a lower ground level than the residential properties located to the south of the appeal site, the orientation of the pitched roof and the fact that the annexe would be located broadly to the north of the nearest residential properties, I am satisfied that it would not result in any significant overbearing or overshadowing impacts. I am also satisfied that, subject to the imposition of suitably worded planning conditions, the development would not lead to a material loss of privacy.
7. I therefore find that the proposed development would not cause material harm to the character and appearance of the host property or surrounding area. Neither would there be material harm to the living conditions of the occupiers of neighbouring residential properties. It follows that the development would not conflict with Policies S17 and DES1(c) of the adopted Monmouthshire Local Development Plan (LDP). For these reasons, and having considered all matters raised, I conclude that the appeal should be allowed subject to conditions.
8. In coming to this conclusion, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WCFG Act). I have taken into account the ways of working set out at section 5 of the WCFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WCFG Act.
9. I have considered the suggested conditions and, having had regard to the advice in Welsh Government Circular 16/2014: *The Use of Planning Conditions for Development*

Management (October 2014), have adjusted their wording in the interest of clarity and precision. In addition to the statutory time commencement condition, I have imposed a condition tying the development to the approved plans for the avoidance of any doubt. A condition tying the annexe to the parent dwelling is also necessary and in accordance with the advice contained within the aforementioned Circular. Finally, a condition requiring certain windows to be obscure glazed is necessary in the interest of providing adequate living conditions for the future occupiers of the annexe and to prevent a material loss of privacy to the occupiers of neighbouring residential properties.

Richard E. Jenkins

INSPECTOR