**SUMMARY OF APPEALS**

**APPEAL LODGED (DEVELOPMENT CONTROL)**

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<td>The Old Forge (the Bungalow) Triley Abergavenny NP7 8DE</td>
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**Appeal Decision (Development Control)**

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<td>28/03/2013</td>
<td>Mrs Ann John-Upton</td>
<td>Land adjoining Cennen Shop Trap Llandeilo SA19 6TP</td>
<td>Outline application for erection of dwelling, formation of access and installation of sewage treatment plant (All matters reserved).</td>
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The Planning Inspectorate
Yr Arolgygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymwelid â safie a wnaed ar 26/02/13

gan Gareth A. Rennie BSc(Hons) DipTP
Arolgydd a benodir gan Weinidogion Cymru

Dyddiad: 28/03/13

Appeal Decision

Site visit made on 26/02/13

by Gareth A. Rennie BSc(Hons) DipTP
an Inspector appointed by the Welsh Ministers

Date: 28/03/13

ApPELL Ref: APP/P9502/A/12/2188308
Site address: land adjoining Cennen Shop, Trap, Llandeilo, SA19 6TP

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 outline planning permission.
- The appeal is made by Mrs Ann John-Lupton against the decision of Brecon Beacons National Park Authority.
- The application Ref 12/07990/OUT, dated 2 May 2012, was refused by notice dated 29 June 2012.
- The development proposed is the erection of a dwelling, formation of access and installation of sewage treatment plant.

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of a dwelling, formation of access and installation of sewage treatment plant at land at Cennen Shop, Trap, Llandeilo, SA19 6TP in accordance with the terms of the application, Ref 12/07990/OUT, dated 2 May 2012, and the plans submitted with it, subject to the following conditions:

   1) The development hereby permitted shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

   2) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

   3) Application for the approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

   4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development of the types described in Part(s) 1, Classes A,B,C,D,E,F,G,H; Part 2, class A; Part 40 class G of Schedule 2, other than that hereby permitted, shall be carried out without the written permission of the local planning authority.

   5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design,
materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

6) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

7) Development shall not begin until drainage works for the disposal of foul and surface water have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Procedural Matter

2. The application in this case is for outline planning permission, although a plan of the proposed layout has been submitted. I have proceeded on that basis.

Main Issues

3. The main issues in this case are the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of neighbouring residents.

Reasons

4. The appeal site is a raised garden area adjacent to a small group of buildings adjacent to the Cennen Arms public house. The site is elevated and consists of a currently overgrown area, although a part of it appears to be used as a garden for the adjacent property.

5. The relief of the area means that there are a number of dwellings at different elevations, and they are of different styles and sizes, both single and two storey. There are numerous examples of bungalows in the village, most notably the house immediately opposite the appeal site known as Cennen Lodge. The proposed bungalow might be different in style to its immediate neighbours to the north but it is not unusual in this setting and would not be out of character with the other dwellings in the village as a whole. This is also an outline proposal which means that the final design of the dwelling will be subject to further scrutiny and control.

6. Furthermore, the elevated nature of the site would help to further integrate the proposed dwelling with its two storey neighbours. It would be different to the adjacent two storey buildings, but the transition between them and the proposed house would be facilitated by the change on elevation and the single storey, store/workshop immediately to the north. Despite its elevation I consider that it would not be an overly prominent or incongruous addition to the area.

7. For these reasons I consider that the development of a single storey dwelling in this location would not harm the character and appearance of the surrounding area, or detract from the special qualities of the National Park. It does not therefore conflict with policies G3 or G6 of the Brecon Beacons National Park Unitary Development Plan (UDP) which seek to protect the special qualities of the Park and ensure that new development is appropriate to its settings, and sustains or enhances character in townscape. The UDP has not been formally adopted. However, it has completed a period of public consultation and was approved for development control purposes by the Authority in 2007. I have therefore, given it significant weight.
8. The elevated nature of the site would mean that the proposed dwelling would appear to overlook the rear gardens of the adjacent properties in particular. Even so, the dwelling would be reasonably separated from the boundaries of the site and orientated away from the rear gardens and elevations of its neighbours.

9. The construction of a new dwelling in this location would certainly change the relationship between the site and the existing buildings, but the rear of these dwellings and their gardens are very open and are currently overlooked by each other and by the adjacent public house. I consider because of this that there would be very little loss of privacy as a result of the proposed dwelling. There would be a change in the perception of overlooking to a degree, but for the same reasons I do not consider that this would be a significant change, or one that would lead to a significant real loss of perceived privacy. I also consider that suitable boundary treatment would help to reduce this perception even further.

10. For these reasons I conclude that there would not be significant harm to the living conditions of the residents of neighbouring properties as a result of the proposal. It does not, therefore conflict with Policy G3 of the UDP in this context, which also seeks to ensure that development does not have an unacceptable impact on the amenity of adjacent properties.

11. I have included conditions requiring the submission of details of the materials to be used in the interests of the character and appearance of the area. Other matters would be dealt with under reserved matters but I consider that there is a need for specific details to be approved for boundary treatment in order to further protect the amenity of neighbours, and details of drainage to be submitted for approval in order to protect the area from flooding and ensure proper disposal of foul water and sewage.

12. I also agree with the Authority that in this case there is also a need for a condition withdrawing permitted development rights. This is in the interest of the amenity of neighbouring residents and to allow additional control over further development in the interests of the character and appearance of the area and the special qualities of the National Park.

13. Consequently for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Gareth A. Rennie
Inspector