



Appeal Decision

by Richard James Bsc (Hons) Msc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 21.12.2023

Appeal reference: CAS-02693-L5G4X5

Site address: Brynhawel, Llaingarreglwyd, Llanarth, Ceredigion, SA47 0QA

- 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 Clive Scragg against the decision of Ceredigion County Council.
 - The application Ref. A220077, dated 31 January 2022, was refused by notice dated 30 January 2023.
 - The development proposed is demolition of existing cottage and construction of replacement dwelling. Relocation of existing garage/store, improved entrance and parking for Isfryn and removal of ancillary sheds and stores.
 - A site visit was made on 21 November 2023.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For conciseness, I have taken the description of development from the Appeal Form and Council's Decision Notice.

Main Issue

3. This is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site comprises a single storey, two-bed detached clom cottage of very modest size and proportions, currently in a dilapidated condition. It forms part of Llaingarreglwyd's developed residential frontage, which comprises a small linear grouping of dwellings surrounded by fields and open countryside. Indeed, for the purposes of the settlement hierarchy of the Ceredigion Local Development Plan (LDP), the appeal site is in an 'other location' which is mainly open countryside. There is no defined settlement boundary, and the area has a strong rural character. The cottage fronts onto the roadside and is neighboured by a pair of semi-detached houses of simple appearance and form to the east and further modest dwellings to the west. Together with the existing dwelling on the appeal site, these have a muted visual impact that is commensurate with the prevailing rural character of their setting.
5. The proposed replacement dwelling would be set centrally within the appeal site with an angled orientation from the roadside. It would be one and a half storeys with a hipped roof, a front stone gable that would include a glazed apex screen, a front triangular

dormer window and a lean-to canopy roof. Existing outbuildings would be replaced with a new detached garage, located in the appeal site's front corner. Isfryn's access and parking area would also be widened as part of the proposal.

6. LDP Policy LU08 relates to replacement dwellings and there is no dispute between the parties that the proposal would comply with criteria 1 and 3. In the context of that policy, there is also nothing to indicate that the existing dwelling has local significance either visually, culturally or historically. Indeed, the Council does not object to its demolition, and I have no reason to disagree. Criterion 2i states that proposals to replace existing dwellings should be located within or adjacent to the footprint of the original dwelling and reflect the form, bulk and size of the original dwelling unless there are demonstrable planning advantages to be gained from deviating from the original orientation, position or size. The supporting text to Policy LU08 clarifies that often proposals involve a replacement that is larger than the previous dwelling and thus reduces the stock of smaller dwellings in that area. In this case however, the Council provides no evidence that the proposal would have any significant impact on the variety of housing stock within the County or the local area. Given that the existing dwelling is very small with a severely limited internal floorspace for modern family accommodation, and that the appeal site forms an infill plot within an existing developed road frontage, I consider that there is scope for a larger dwelling than exists. Even so, the appeal site is in a sensitive rural location where new development is subject to strict control. In this regard, criterion 2ii of Policy LU08 says that replacement dwellings should respect or enhance the design of surrounding properties and the locality. Policy DM06 also advocates high quality design and amongst other things says that development should have full regard, and positively contribute to the context of its location. In the countryside, small, scattered settlements such as Llaingarreglwyd are an intrinsic part of the rural landscape. Whilst the proposal relates to an infill plot, Policy DM17 seeks to prevent significant adverse effects on the general qualities of the landscape and is relevant in this case.
7. The proposal, despite overlapping the cottage's footprint, would approximately double its area, with a different orientation, roof form and fenestration style also. Much of the proposal's additional footprint and these differing characteristics, by virtue of the elevated roof and wider principal elevation, would be clearly visible from the public facing frontage. The introduction of hipped roofs would not effectively minimise the principal elevation's significantly elongated size. The front lean-to canopy section, whilst comprising a traditional feature and remaining below the cottage's eave height, would only appear as an ancillary element to the proposal's more expansive frontage appearance. Furthermore, the proposal's large gable apex screen would be a particularly prominent and deviating feature on the principal elevation, which would appear at odds with the modest window proportions of the neighbouring dwelling frontages. As such, despite the presence of larger dwellings within the area and the similar external materials proposed, the replacement dwelling would not respect the design of surrounding properties and the locality. The proposal has sought to incorporate window features used elsewhere, and a cat slide roof that is intended to reflect a 'cottage' scale. Nonetheless, the combination of these features would result in a dwelling of incoherent design. As a consequence of its orientation and design, the proposal would introduce a substantially more visually complex form of development that would fail to respect the linear pattern and modest character of neighbouring dwellings. It would therefore have a harmful urbanising effect on the rural character and appearance of its immediate locality. Despite its infill nature, the proposal would be a visually detracting feature of this rural hamlet and would as such, harm the hamlet's positive contribution to the attractive rural landscape.
8. Little evidence has been submitted to demonstrate that the proposal would offer significant benefits to highway safety or offer levels of biodiversity enhancement that

would go above and beyond normal planning policy requirements. Neither has it been adequately demonstrated that a more reflective fenestration design would fail to meet Building Regulation requirements. In addition, other schemes approved by the Council are unlikely to share the same circumstances as the appeal proposal which I have determined on its own merits. As such, I find nothing of substance to justify the above identified harm.

9. I conclude that the proposal would be harmful to the character and appearance of the area, contrary to LDP Policies LU08, DM06 and DM17.

Other Matters

10. I note the engineers' report which identifies the extremely dangerous structural condition of the existing building. Nonetheless, making the building safe is not necessarily dependant on a grant of planning permission. I have also had regard to the appellant's requirements to accommodate visiting family. However, there is little evidence that the appeal proposal is the only realistic means of securing the identified benefits, and the harm I have identified would be significant. Consequently, it would be proportionate to withhold planning permission in the circumstances. That the proposal would provide adequate amenity space for its occupants is of neutral weight.

Conclusion

11. For the reasons given above and having regard to all other matters raised, I conclude that 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 in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

Richard James

INSPECTOR