



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/09/2022

gan Clive Sproule BSc MSc MSc
MRTPI MEnvSci CEnv

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 07/11/2022

Appeal Decision

Site visit made on 20/09/2022

by Clive Sproule BSc MSc MSc
MRTPI MEnvSci CEnv

an Inspector appointed by the Welsh
Ministers

Date: 07/11/2022

Appeal Ref: CAS-01972-D9C7F3

Site address: Winswood, Lower Gwestydd Lane, Aberbechan, Newtown
SY16 3AY

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 R Bennett against the decision of Powys County Council.
 - The development proposed is the demolition of a portion of the dwelling and erection of a two storey side extension, exterior of original dwelling to be clad with EWI and a brick skin, and re-roofed with natural slates.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of a portion of the dwelling and erection of a two storey side extension, exterior of original dwelling to be clad with EWI and a brick skin, and re-roofed with natural slates, at Winswood, Lower Gwestydd Lane, Aberbechan, Newtown SY16 3AY, in accordance with the terms of the application, Ref 21/2137/HH, dated 22/11/2021, subject to the following conditions:
 - 1) The development shall begin not later than five years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 - 2) The development shall be carried out in accordance with the following approved plans and documents:
 - Drawing no. KI 6124 1 – Existing Plans, Elevations & 3D
 - Drawing no. KI 6124 4 Rev A – Proposed Plans, Elevations & 3D
 - Drawing no. KI 6124 5 Rev A – Proposed Site Plan
 - Drawing no. KI 6124 6 Rev A – Proposed Block and Location Plan

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3) Prior to the occupation of the extension hereby permitted bat slits shall be installed in the locations shown on drawing no: KI 6124 4 Rev A in accordance with the specifications in the Jon Sloan Ecological Consultants report dated 5 June 2021. The bat slits will be retained for as long as the development hereby permitted remains in existence.

Reason: In the interests of biodiversity in accordance with LDP Policy DM2, Future Wales and section 6 of the Environment (Wales) Act 2016.

- 4) All planting, seeding or turfing, as set out in the Tree and Hedgerow Landscaping Scheme, dated February 2022 and as shown on Drawing no. KI 6124 5A – Proposed Site Plan, shall be carried out in the first planting and seeding seasons following the occupation of the extension hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of protecting the character and appearance of the locality in accordance with LDP Policy DM13.

Main Issue

2. This is the effect of the proposed development on the character and appearance of the building and locality.

Reasons

3. Winswood is a bungalow on an elevated site above and set back from the B4568. It is accessed from a lane off Lower Gwestydd Lane. The dwelling has its back turned to the lane so the principal elevation looks over the valley to the east.
4. The Council's Guidance on Householder Development within Part 3 of its Residential Design Supplementary Planning Guidance ("SPG") notes that an extension (or conservatory) should not normally dominate a house, and as a general rule all extensions should be smaller than the original dwelling. The SPG is guidance, and Winswood is a freestanding dwelling in the countryside. Therefore, the SPG should be applied with consideration given to the specific circumstances of Winswood, and within the context of the Powys Local Development Plan 2011 – 2026 ("LDP") Policy DM13. LDP Policy DM13 requires development to be designed to complement and/or enhance the character of the surrounding area.
5. The character of the locality around Winswood is open countryside with fields, hedgerows, woodland, highways, occasional farms, agricultural buildings, dwellings and associated structures. In terms of building appearance, there is considerable architectural variety in the locality both in terms of the built forms and their finishes.
6. The appeal proposal would extend Winswood by demolishing an existing extension and replacing it with a larger structure. The rear wall of the existing extension is flush with the rear wall of the remainder of the dwelling, but the existing extension's deeper form causes it to have an asymmetric roofline that differs from the simple pitch roof it adjoins.
7. The proposed replacement extension would be set forward of the rear elevation of the existing extension. It would have a larger footprint and a gable would project out from the front elevation of the extension. The ridgeline of the main dwelling would be raised and

the roof extended to provide a similar roof profile to the proposed extension. This would provide overhangs to accommodate the proposed exterior wall insulation (“EWI”) and create covered veranda in front of the remaining part of Winswood. This roof would include a small gable fronted storm porch over a new front door into the dwelling. It would be legible design that would provide Winswood with a clear entrance next to the pedestrian and vehicular access into the site.

8. Through the proposed extension, installation of EWI and associated roof reprofiling, the appeal proposal would extensively modify the exterior of Winswood. The proposed extension would appear as the larger element of the modified built form. Even so, the proposed development would create a building of coherent design, that would use resources sustainably and efficiently. While the extension would not be subservient, the design respects the host dwelling and the resultant building would complement the character and appearance of the locality and not be harmful to it.
9. Accordingly, the proposed development would be a good quality design that complies with LDP Policy DM13, the SPG and Planning Policy Wales (Edition 11). By providing additional residential accommodation through the extension of a dwelling, the appeal scheme complies with LDP Policy H7.

Other Matters

10. A preliminary/scoping survey for bats was carried out in May 2021 that found no evidence of bat use / roosts in the bungalow’s roof voids or bat presence / roosts in external areas. The proposed development would include bat slits for roosting, that along with the proposed landscaping scheme, would be expected to maintain and enhance biodiversity. These measures could be provided through conditions suggested by the Council.

Conditions

11. Possible planning conditions have been considered within the context of Welsh Government Circular ref: WGC 016/2014 - *The Use of Planning Conditions for Development Management*. A suggested condition would require the provision of parking spaces within the curtilage of the site for the extended dwelling. Winswood has a large yard area that application drawings show to be for parking and turning. The area available for parking and turning should be more than adequate for the occupiers of the proposed extended dwelling. Consequently, it has not been shown that the suggested condition would meet the test of necessity, and it will not be imposed.

Conclusion

12. All matters raised in this case have been taken into account. For the reasons given above, no matters have been found to outweigh the proposal’s conformity with the development plan, and the appeal should be allowed.
13. 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 of the Welsh Ministers’ well-being objectives by embedding our response to the climate and nature emergency in everything we do.

Clive Sproule

Inspector