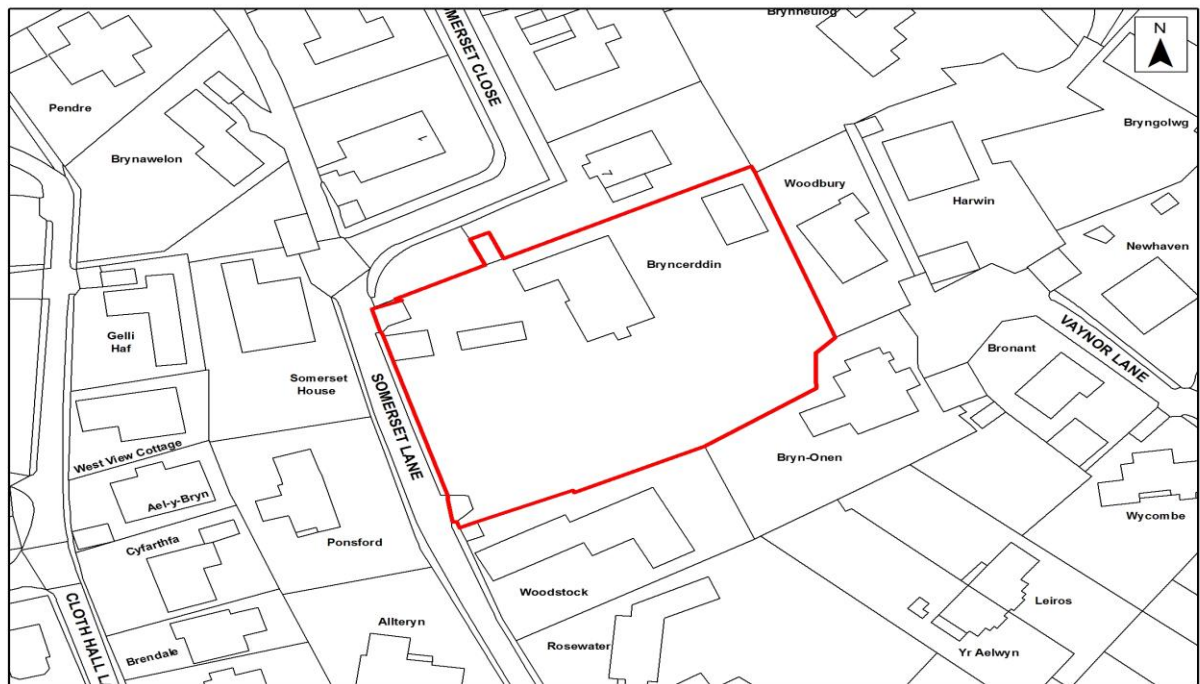


FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	16 th March 2018
REPORT AUTHOR	Judith Jones
CASE OFFICER	Rebecca Jones
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	28 th March 2018

Application No. P/17/0319	Date 27.10.2017	Determining Authority MTCBC
Proposed Development	Location	Name & Address of Applicant/Agent
Erection of side extension to contain indoor swimming pool and associated external works including retaining works	Bryncerddin Somerset Lane Cefn Coed Merthyr Tydfil CF48 2PA	Mr M Evans Bryncerddin Somerset Lane Cefn Coed Merthyr Tydfil CF48 2PA



P/17/0319

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TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/D/17/3192367
DATE DECISION RECEIVED:	05 th March 2018
DECISION:	ALLOWED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 01/02/18

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

Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 05.03.18

Appeal Decision

Site visit made on 01/02/18

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

an Inspector appointed by the Welsh Ministers
Date: 05.03.18

Appeal Ref: APP/U6925/D/17/3192367

Site address: Brynccerddin, Somerset Lane, Cefn Coed, Merthyr Tydfil, CF48 2PA

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 Marc Evans against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref: P/17/0319, dated 22 October 2017, was refused by notice dated 13 December 2017.
 - The development proposed is the erection of side extension to contain indoor swimming pool and associated external works including retaining works.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of side extension to contain indoor swimming pool and associated external works including retaining works at Brynccerddin, Somerset Lane, Cefn Coed, Merthyr Tydfil, CF48 2PA in accordance with the terms of the application, Ref P/17/0319, dated 22 October 2017, and the plans submitted with it, 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: *Proposed Elevations, DRG.No.5, dated September 2017; Proposed Ground Floor Plan, DRG.No.4, dated September 2017.*

Procedural Matters

2. I have taken the description of development from the Council's Notice of Decision as it provides a more accurate description than that outlined on the original planning application form. As the amended description is broadly consistent with that outlined on the Appeal Form, I am satisfied that there would be no prejudice in this respect.

Main Issue

3. This is the effect of the proposed development upon the character and appearance of the host property and surrounding area.
-

Reasons

4. The appeal relates to a detached residential property set within a generous curtilage in Cefn Coed, Merthyr Tydfil. The appeal proposal seeks full planning permission for an extensive single storey side extension that would project out from the side elevation of the main dwelling. The extension would be utilised as an indoor swimming pool.
5. The Council objects to the proposed development on the basis that it would represent a disproportionate and unsympathetic form of development that would significantly harm the character and appearance of the dwelling and surrounding area. However, whilst I acknowledge that the proposal would project a significant distance from the main dwelling, its single storey and stepped height, and its set back from the front elevation of the property, would assist in ensuring that the structure would retain subservience to the main dwelling. Moreover, by virtue of the extensive and well landscaped grounds within which the dwelling is located, I am satisfied that the structure would not appear unsympathetic or unacceptably impact upon local amenity in terms of visual impact.
6. I recognise the Council's concerns regarding the pattern of fenestration and the proposed hipped roof. However, I do not consider that such matters would cause material harm, not least because of their subservience to the resulting built form and the broad architectural variety within the immediate and wider surroundings. I note the Council's references to percentage increases associated with side extensions. However, it is imperative that such guidance is not treated as determinative. Indeed, I have determined this appeal on its own particular merits, having particular regard to the unique circumstances of the plot. Given that any future proposal should be determined in the same manner, I am satisfied that allowing this appeal would not set a precedent for future development proposals.
7. Based on the foregoing, I find that the proposed development would not cause material harm to the character and appearance of the host property or surrounding area. Accordingly, I find no conflict with the aims of Policy BW7 of the adopted Merthyr Tydfil County Borough Council Local Development Plan (LDP) which broadly seeks to support good quality sustainable design. For these reasons, and having considered all matters raised, I conclude that the appeal should be allowed.
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.

Richard E. Jenkins

INSPECTOR