

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Appeal Update: Land adjoining Coed Cae Farm House, Rassau, Ebbw Vale
Report Author	Lesley Taylor
Directorate	Regeneration and Community Services
Date of meeting	3rd March 2022

1. Purpose of Report

1.1 To advise Members of the decision of Planning & Environment Decisions Wales in respect of a planning appeal against the refusal to grant outline planning permission for a single detached dwelling with parking on land adjoining Coed Cae Farm House, Rassau, Ebbw Vale (planning application ref C/2020/0227).

2.0 Scope of the Report

2.1 Planning permission was refused under delegated powers on 18th January 2021. The decision notice included 2 reasons for refusal:

- a) It was considered that a dwelling of the scale proposed, sited in such close proximity to existing properties and associated curtilages, would result in an unacceptable loss of privacy and would have an adverse and overbearing impact on the residential amenities of the occupants of neighbouring dwellings and future occupants of the property; and
- b) By virtue of the its siting and indicative design, the proposed dwelling does not adequately respect the settlement pattern and form of surrounding residential properties and would result

in a development that would be at variance with its locality to the detriment of the visual amenities of the area.

2.2 In reaching her decision, the Inspector noted that the site had been the subject of an earlier appeal that had been dismissed on the basis it would have an unacceptable dominating visual impact when viewed from private amenity space at 26 & 27 Coed Cae and Coed Cae Farm House, and concerns regarding overlooking and loss of privacy between existing properties and the proposed dwelling. Whilst the agent for the current proposal contended that the indicative dwelling on the current application for outline permission had addressed the former Inspector's concerns, she concluded she did not share this view and that the dwelling currently proposed would have an unacceptable and oppressive impact on the occupants of Coed Cae Farm House when using private rear amenity space.

2.3 The Inspector was also of the opinion that there was likely to be overlooking of the private amenity space serving no.'s 26 and 27 Coed Cae and the visual impact a gable wall of significant mass when viewed from the rear of 26 and 27 Coed Cae and respective rear gardens would have an unacceptable dominant visual impact.

2.4 A change in the ownership of Coed Cae Farm since the appeal was submitted brought into dispute the size of the appeal site and the validity of the certificate of ownership (A) submitted with the planning application. The Inspector also noted that changes proposed to a window opening in gable end of Coed Farm House to prevent overlooking of the proposed dwelling was no longer in the applicant's gift. She concluded however that as the new land owner is clearly aware of the development and has had the opportunity to make representation at the appeal stage, she considered that no injustice had been caused by this procedural error.

2.5 The Inspector did not agree with the second reason for refusal, noting that the dwelling would be viewed in surroundings that are mixed in terms of design, form and scale and the indicative design would not therefore appear at odds with the settlement pattern or a variation in the built form. On such basis she was of the view that the development did not conflict with Policies DM1 2 b and DM2 a and b.

2.6 However, she concluded that this did not outweigh the harm to the living conditions of neighbours and future occupants of the development

site, and was of the view that the development is in conflict with Policy DM1 2 c of this Council's adopted Local Development Plan (LDP).

2.7 The Inspector accordingly DISMISSED the appeal.

3. Recommendation/s for Consideration

3.1 That Members note for information the appeal decision for planning application C/2021/0182 as attached at **Appendix A**.