
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/12/19

gan **Melissa Hall BA(Hons), BTP, MSc, MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22.01.2020

Appeal Decision

Site visit made on 03/12/19

by **Melissa Hall BA(Hons), BTP, MSc, MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 22.01.2020

Appeal Ref: APP/T6850/A/19/3238128

Site address: South Court, Park Terrace, Llandrindod Wells LD1 6AU

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 Luke Conod of Proposource Gorrington Montague and Conon Limited against the decision of Powys County Council.
 - The application Ref 19/0374/FUL, dated 5 March 2019, was refused by notice dated 4 September 2019.
 - The development proposed is described as a 'New two bedroom Coach House together with external works to the rear of South Court'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Amended plans were submitted during the course of the application, which the Council has confirmed were those used in its determination. My consideration of the appeal is therefore based on the plans which informed the Council's decision.

Main Issues

3. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Llandrindod Wells Conservation Area¹ ("the CA").
 - The effect of the proposed development on the Registered Llandrindod Wells Public Parks.

Reasons

4. The appeal site lies at the end of Park Terrace, which is characterised by a row of substantial 3/4 storey Victorian properties on one side of the highway overlooking

¹ Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Rock Park and Spa, a Grade II* Registered Historic Park and Garden² (“the Registered Historic Park”). A pedestrian footpath into the eastern side of the park runs alongside the front and side boundaries of the garden serving the existing property at the appeal site.

5. The site is located within the Llandrindod Wells CA. The Council has provided me with a map showing the CA boundaries, which includes Park Terrace, Rock Park and most of the central part of the town. The CA includes buildings of a variety of styles including Victorian, Edwardian and Arts & Crafts. That is, much of Llandrindod Wells’ historic fabric remains largely intact. In my opinion, the character of the part of the CA in which the appeal site lies is created by the design, scale and materials of the buildings, and in the largely unspoilt juxtaposition of those components notwithstanding that several of the properties have undergone alterations over the years and are in varying states of repair.
6. Turning to the Registered Historic Park and Garden, the Council has not provided me with the Register entry for the Park. However, its delegated report provides an extract from the description of the Llandrindod Wells Public Parks and identifies Park Terrace as ‘...forming the north-eastern boundary of the park and more modest in scale than Norton Terrace. The properties are substantial, Victorian three storeyed terrace houses of brick and stone with ornate bay windows and tiled porches’. The Council also considers that the Registered Historic Park was designed to have large houses / boarding houses built alongside it for visitors to take advantage of the Spa water.
7. The appeal site itself occupies part of the rear / side garden of South Court which is a substantial, yellow coloured brick, detached Victorian property that has been subdivided into flats. The property has a dual aspect incorporating front gables and three-storey bay windows on its west facing front and south facing side elevations together with a three-storey corner turret feature at the junction between the front and side elevations. Many of the features it retains are typical of Victorian Spa architecture. Given the orientation of this property, the features that I have described and the location of an outbuilding in the modest space directly to the rear of the main building, the side garden appears to form the main amenity space serving the property with its uninterrupted views towards Rock Park.
8. The side garden is enclosed to the front by a low brick wall punctuated by a single gated pedestrian entrance. Following the footpath around into Rock Park, the means of enclosure around the southern property boundary alternates from the brick wall, to a hedge and a close boarded fence as the land drops away into the Park. From close range, the change in ground level is such that there are no views over the fence towards the appeal site, albeit the uppermost part of the existing outbuilding is visible on crossing the bridge into the Park where the land rises again. There is an existing hedge running north to south which subdivides the side garden of the property, with the eastern section being at a slightly higher ground level. It is this part of the garden that would contain the appeal dwelling.
9. The proposed dwelling has been designed to take the appearance of a coach house, with a relatively simple form, a 1.5 storey massing, a pitched asymmetric Cambrian slate roof and a red clay brickwork finish with softwood sash window frames. It would not be dissimilar in appearance to the existing outbuilding to the rear of the property, which I understand has been granted planning permission for conversion to a dwelling. Notwithstanding that the Council’s reason for refusal states that the design

² PGW (Po) 20(POW) Llandrindod Wells Public Parks

of the proposal would fail to preserve or enhance the character or appearance of the CA, its appeal statement contends that the amended design of the dwelling more accurately meets the description of a coach house and that its concerns are not primarily in respect of design.

10. Rather, the Council's concerns relate primarily to the principle of the proposed development; namely the siting of a dwelling in what is essentially the main garden of the existing property, severely eroding the character of this section of the CA, which '*... is of properties with relatively large gardens*'. It also states that the proposal would harm the CA in a very sensitive location adjacent to the Registered Historic Park and Garden and that it would '*impact*' upon this heritage asset.
11. At my site visit, I observed that the other properties in the row are sited relatively close together, with few significant gaps or views of their private gardens. Thus, even if these neighbouring properties have large gardens, they cannot be appreciated from the main public vantage points along Park Terrace. In my view, South Court is atypical of the immediate built form insofar as its side garden functions as its main amenity space whilst also providing a verdant setting and uninterrupted views towards the historic park. In this respect, the important relationship between South Court and its garden is an essential component of this building's character which makes a positive contribution to the character and appearance of this part of the CA. It is for this reason that the site is sensitive to change.
12. In this context, the siting of a dwelling beyond the side elevation of South Court and encroaching into the main garden serving the property, would appear awkward, illogical and contrived. It would disrupt the organisation of the space and buildings within the plot; its position in the main garden would be unlike a traditional coach house normally located in the service area of a property's grounds. The dwelling would be visible from public vantage points within the CA, not least due to the low means of enclosure around the property's western and part of its southern boundaries. It would therefore represent a form of development that is incompatible with its immediate surroundings.
13. Turning to the effect of the development on the setting of the Registered Historic Park and Garden. The appellant has submitted a Heritage Impact Assessment, which concludes that there would not be a significant adverse impact on the setting of the Registered Historic Park. The Council argues that as the site lies directly adjacent to one of the much-used pedestrian footpaths around the Park, the proposed development would change the outlook from the appeal site, affecting the legibility and history of the Registered Historic Park. Cadw reinforces this view insofar as it considers that the proposal would have a moderate adverse impact on the setting of the Registered Historic Park given its siting in an incongruous position, confusing the relationship between Rock Park and South Court. That being said, it does not consider that the impact of the development would be significant and therefore raises no objection to the proposed development.
14. Having regard to the physical separation that exists between the Park and the appeal site and that the dwelling would not dominate or overwhelm the substantial form of South Court, I do not consider that the proposal would have a seriously harmful effect on the understanding of the relationship between the Registered Historic Park and South Court / Park Terrace.
15. Although the proposal may not have a significant adverse effect on the setting of the Registered Historic Park, for the reasons I have already given, it would fail to preserve or enhance the character or appearance of the CA contrary to the requirements of the

Act. It would also be in conflict with Policies SP7 and DM13 of the adopted Powys Local Development Plan 2018, which require historic assets to be safeguarded and the design of new development to complement or enhance the character of the surrounding area, preserve local distinctiveness and sense of space. Furthermore, it would be at odds with Planning Policy Wales, Technical Advice Note 24 '*The Historic Environment*' ("TAN 24") and Technical Advice Note 12 '*Design*' ("TAN 12"), which recognise the importance of protecting, conserving and enhancing the historic environment.

16. I note the appellant's contention that the development would meet the objectives of TAN 12 and TAN 24 insofar as it would achieve the efficient use and protection of natural resources, protect and enhance biodiversity and national nature conservation interests and protect natural/cultural heritage value. Moreover, the appellant states that the site is in an inherently sustainable location by virtue of its position adjacent to the settlement boundary of Llandrindod Wells, the dwelling would address the need for additional houses and it would be within close proximity to public transport routes and local facilities. Whilst I do not dispute that the proposal may meet some of the sustainability objectives outlined in local and national planning policy, its failure to preserve or enhance the character or appearance of the CA would outweigh the benefits of the scheme in the balance of acceptability.

Conclusion

17. For the reasons I have given and having regard to all matters raised, the appeal is dismissed.
18. 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 the Welsh Ministers' well-being objectives of building healthier and resilient communities and better environments.

Melissa Hall

Inspector