

SECTION B – MATTERS FOR INFORMATION

APPEALS DETERMINED

a) Planning Appeals

Appeal Ref: A2014/0011 **Planning Ref:** P2014/0771

PINS Ref: APP/Y6930/A/14/2229042

Applicant: Mrs Pauline Tilbrook

Proposal: Variation of condition 1 (to allow a further 5 years for the commencement of development) of planning permission P2008/1547 (approved on 21/08/09)

Note: The appeal was against condition 7 of the planning permission

Site Address: 161a New Road, Skewen, Neath SA10 6HD

Appeal Method: Written Reps

Decision Date: 25/02/2015

Decision Code: The appeal was ALLOWED (condition 7 deleted)

The property subject to this appeal lies adjacent to an approved scheme for a block of two-storey flats to which the disputed condition was attached. It has two bedroom windows pertaining to separate flats positioned on the side elevation which would be in close proximity to the side wall of the neighbouring development. To try and address issues relating to light to these windows the planning department imposed a condition as follows:

Condition 7: “Prior to any development taking place the two windows on the side elevation of no. 161b which serve the bedroom of each flat shall be replaced with oriel style windows which shall be retained as such thereafter”

The Inspector stated that proximity and scale of the latter development would undoubtedly have an impact on the light and outlook for the occupiers of the existing flats, however the inspector stated there is no evidence to suggest that 'oriel' style windows would make any significant difference in relation to light. In addition to this the Inspector stated that windows would only have oblique opportunities for natural light to penetrate due to the neighbouring development lying forward and to the rear of the windows. Furthermore the Inspector stated that an 'oriel' style window on the ground floor would project out onto a pathway causing an obstruction to anyone requiring rear access to the property which would result in an unsatisfactory form of development.

The Inspector concluded that 'oriel' style windows would not result in any significant additional light reaching the bedrooms and that condition 7 was unreasonable and unnecessary. The appeal was therefore allowed, and the disputed condition deleted.