Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

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by Declan K Beggan BSc (Hons) MSc DipTP DipMan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 05.06.2026

Appeal references: CAS-04471-X8X3X5

Site address: Rose Meadow Yard, Croft Top Farm, Laleston, CF32 0LU

- 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 Henry Price and family against Bridgend County Borough Council.
- The application Ref. P/24/645/FUL, dated 15 October 2024, was refused by a notice dated 2 May 2025.
- The development proposed is described as “Proposed hard standing area and fencing, the provision of two static residential gypsy caravans and two touring caravans, two utility/day rooms, car parking, boundary fencing, ecological enhancements with planting areas, and the installation of a private treatment plant (revised information including amended site plan, drainage and sewerage details, and a transport statement)”.
- A hearing and site visit was made on 3 February 2026.

Decision

1. The appeal is allowed, and planning permission is granted for a “Proposed hard standing area and fencing, the provision of two static residential gypsy caravans and two touring caravans, two utility/day rooms, car parking, boundary fencing, ecological enhancements with planting areas, and the installation of a private treatment plant (revised information including amended site plan, drainage and sewerage details, and a transport statement)” in accordance with the terms of the application, Ref P/24/645/FUL, dated 15 October 2024, and the plans submitted with it, subject to the conditions in the schedule at the end of this decision.

Procedural Matters and Background

2. The description of the site address varies slightly between the planning application form and the Council’s decision notice; I have used the latter as it is more concise.

3. As discussed at the hearing and agreed with the main parties, to reflect the fact that the bulk, if not all of the hard standing has been removed from the site, the description of the proposal has been amended as per the wording above.

4. The personal circumstances have been included in written evidence and were discussed during the course of the hearing. As I have found the proposal to be acceptable in principle and to accord with the thrust of relevant national planning policy and guidance, it is not necessary to set out in any detail those circumstances in this decision.

Main Issues

5. The main issues in this appeal are:

- Whether the development within the countryside would be acceptable in principle having regard to relevant planning policies;
- The effect on the character and appearance of the area;
- The site sustainability in terms of location; and,
- The effect on highway safety with particular reference to visibility at the proposed site entrance with the A48.

Reasons

Principle of development

6. The proposed development is located in countryside. Policy DNP1 of the adopted Bridgend Local Development Plan (LDP) strictly controls development in the countryside and presumes against development unless that development falls within certain exceptions; the provision of gypsy/traveller sites in accordance with policy COM8 of the LDP constitutes such an exception. There is no dispute the appellant falls within the definition of gypsy/traveller and as confirmed by the Council, the principle of the proposed development in policy terms is considered acceptable subject to the applicability of other criteria and guidance as contained within Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' (the Circular).

7. Policy COM8 permits gypsy/traveller development subject to the number of criteria, including:

- where there are a lack of suitable sustainable locations for sites within or adjacent existing settlements boundaries;
- necessary physical, transport and social infrastructure is accessible or will be readily provided;
- the scale of development is appropriate having regard to the site's surroundings/setting; and,
- there being no loss of important recreational, amenity or natural heritage value.

8. The Council do not dispute the appellant's case in terms of need for the development, and confirmed that there is a lack of alternative sustainable locations within or adjacent to existing settlement boundaries, and that it did not

take issue with any of the other criteria, save for the third bullet point above, which I address later in this decision, with elements related to bullet point two, addressed elsewhere within this decision. Therefore, the proposed development is considered acceptable in principle and is broadly consistent with the thrust of advice as contained in the Circular.

Character and Appearance

9. The appeal site comprises a roughly rectangular shaped parcel of land within an open countryside location that gently slopes away from the adjacent A48 road which it accesses onto. The boundaries of the site to the north (roadside), west and east are denoted by mature hedge and tree planting, beyond which are open fields. To the southern boundary of the site an earth bank is proposed with native tree planting. The area beyond the southern boundary is not within the site edged in red, although in the ownership of the appellant and this is due to be grassed over and serve as an area for treatment of foul waste via a treatment plant. The access to the site utilises an existing access that historically has served various uses including agricultural related activities and stabling.

10. Policy COM8 of the LDP deals with gypsy/traveller sites within the countryside, and criteria ‘c’ permits such development where the scale of the proposal is appropriate with regard to the site’s surroundings and setting, ensuring it is in proportion to local settled communities. Policy DNP1 of the LDP states that all development outside defined settlement boundaries must ensure that the integrity of the countryside is conserved and enhanced, and in regard to gypsy/traveller proposals refers to such development being in accordance with COM8. Policy SP3 of the LDP relates to ‘Good Design and Sustainable Placemaking’ and refers to matters such as development being appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density. Planning Policy Wales Edition 12 (PPW) and Technical Advice Note 12: Design (TAN12) both seek to safeguard visual amenity.

11. Given my findings above in terms of the principle of development on a site located in the countryside and the acceptance of the Council in terms of the need argument and availability of alternative sites, the issue of any potential harm to the character and appearance of the area must be viewed in light of the fact that there will always be a degree of detriment involved, if a countryside location is the outcome of the policy approach.

12. I appreciate that the introduction of the proposed caravans and associated development will alter the character and appearance of the appeal site, however, it should be noted that the site has been subject to development over the years which were likely to reflect aspects of the proposed development in various ways e.g. relatively low-level development.

13. I was able to confirm during my site visit that three sides to the site are well defined by existing mature landscaping and the fourth side would be demarcated by a new earth bank with planting. I appreciate the site is located on the crest of the hill, but the development would be positioned away from the roadside, lower into the site minimising any significant visual impact. The proposed new planting in the form of hedging/trees etc and the retention of existing landscaped features

further reduces any visual impact and assists in assimilating the proposed development into the rural environment. I appreciate the proposal would be seen from the adjacent road, however such views are likely to be fleeting and transitory in nature and very localised, and whilst a public footpath does run adjacent to the site, the existing mature planting and proposed augmentation of the boundaries would significantly lessen any visual impact, particularly so as the land levels fall away along the footpath in a southerly direction, and once again any visual impact to walkers would be transitory in nature.

14. The Council argue that the scale of the development, including the associated hardstanding is excessive for two families and cite a recent example for a gypsy development that was smaller and which served three families. However as discussed above the site is well contained and to my mind the scale of the proposal development would not appear to be at odds or appear excessive for this type of development. Clearly the proposal would result in the introduction of residential paraphernalia onto the site, however, as per policy COM8, which supports the broad principle of the development, it is implicit that a degree of residential use would be expected and for reasons previously stated such associated use would be visually relatively well contained within the site.

15. In support of their case, I note the Council refer to an appeal decision on the site relating to residential development. However, I do not consider this case assists them as it is not directly comparable to the development subject to this appeal. That development was fundamentally different in nature as it was for the retention of a residential caravan/building to be used as a dwelling or both. That development was not acceptable in principle in such a location as it did not meet any policy exceptions for development in the open countryside. In addition, the policy context was different, and the current proposal has to be viewed in light of a more up to date LDP whose policy position is permissive of such development subject to certain criteria being met. In any event, I have reached my own conclusions on the appeal proposal on the basis of the evidence before me.

16. The site is near to the Laleston Special Landscape Area as denoted in the LDP, nonetheless, it is outside, and for the reasons given above I do not consider it would materially detract from the visual amenities of that designation.

17. Pulling the threads of the above together, for the reasons given, I conclude that the proposed development's impact would be visually limited/localised and it would not cause any significant or meaningful detriment to its character and appearance of the general area. As a result, it would be appropriate and acceptable development within the context of the above mentioned LDP policies and also be acceptable in regard to national planning policy as espoused in PPW and advice TAN 12, which collectively seek to safeguard visual amenities and the natural environment.

Sustainability

18. The Council argue in their third refusal reason that the proposal is located in a remote location that is not safely accessible by a range of different transport modes, with a reliance on the use of private motor vehicle. The site lies approximately 700m from Laleston, which has a number of services including, pubs, a post office and a primary school, and access to bus services, whilst a comprehensive school is located some 2 miles away in Bridgend. Pedestrian

accessibility to services either at Laleston or Bridgend are likely to be discouraged due to, the A48 being unlit for long stretches or in the case of Laleston, the need to cross the A48 before walking along Well Street which lacks a footpath and for the most part is unlit until within the village. Occupants of the appeal site would therefore be likely highly reliant on the use of private motor vehicles, particularly so as the appellant confirmed during the hearing that he does not use public transport.

19. Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' guards against a rigid application of accessibility issues and the inappropriateness of an overly rigid approach of planning policies that seek a reduction in car borne travel in order to effectively block proposals for gypsy/traveller sites in the countryside. Sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services. Over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller site in a countryside location would be inappropriate.

20. Bearing in mind the demonstrated need for gypsy/traveller sites in the council area, and the fact that policy COM8 permits countryside locations where no suitable sites can be found within settlements, these factors outweigh the Council's concerns in terms of sustainability i.e. Policy SP3 of the LDP and its reference to promoting active travel, and policy SP5 with it reference to reducing reliance on private car use. It is also worth noting that the site's relatively close proximity to Laleston and Bridgend results in it being within reasonable distance of a range of services in terms of travel by private car.

21. In light of the above, and with particular regard to policy COM8 that permits gypsy/traveller development in the countryside, and the advice in Circular 005/2018, I am satisfied in terms of the sustainability of the proposal, that the proposed development is considered acceptable. In arriving at this position, I am conscious of the 'tension' between aspects of local planning policy/circular advice and other national policy that may be appliable e.g. PPW, however, such a stance would not undermine other national/legislative requirements, due to the unique circumstances of this case.

Highway Safety

22. The Council's first and second reasons for refusal refer to highway safety matters focussed on visibility, intensification of the proposed access and associated turning movements. The proposed access would utilise an existing access off the A48 road that is subject to a 60-mph speed limit, albeit it that reduces down to 50 mph slightly further down the road; the A48 is not a trunk road although I appreciate it is used at times as a diversionary route when there are works on the M4.

23. The Council highway engineer confirmed at the hearing that whilst there were concerns with the visibility splay to the east of the proposed access, nonetheless on the whole it was met; therefore, I have concentrated on the potential impacts

of visibility to the west. The parties disagree as to the appropriate standard to apply in terms of visibility. The Council argues for the application of the "Design Manual for Roads and Bridges", however the A48 is not a trunk or motorway road, and I am not convinced it should be applied, particularly so in light of all the available evidence. To my mind the applicable guidance is that found in Technical Advice 18: Transport (TAN 18). In respect of visibility, TAN 18 recommends that in terms of stopping sight distances (SDD), this is related to the actual (for existing streets) or design (for new streets) 85th percentile wet weather speed of vehicles on a major link i.e. the road subject to this appeal.

24. Both parties produced evidence in the form of traffic surveys that indicated that varied in terms of the actual speed of traffic on the road. However, as evidenced by the appellant in their submitted drawings, based on the Council's traffic survey recorded 85th percentile speeds for approaching traffic, the stopping distance and visibility splays are achievable from a driver's eye height of 1.05 m to an object height of 0.6 m. I consider this standard is appropriate in relation to the prevailing circumstances of the highway at this location.

25. Whilst applying the 85th percentile approach, I was mindful that the site has an existing access that has been subject to multiple uses over the years and whilst the intensity of those uses is debatable, it nonetheless has operated for many years without recorded highway incidents and even now can still be utilised for agricultural purposes. The proposed use would generate 56 two-way traffic movements per week, which is not unduly excessive and is also likely to result in a reduction in the number of larger HGVs/tractors using the A48 and turning in and out of the site access. In regard to collision risk along the stretch of road near to the proposed access, based on the submitted evidence there does not appear to be any significant highway safety issues or concentration of collisions i.e. 'black spot' within the immediate area of the development site access or as a result of the use of the access over the years. The traffic generated by the proposed development is unlikely to materially affect the existing safety record to any significant level.

26. I note a number of highway related conditions proposed by the Council in the event that the appeal was allowed e.g. relating to such matters as provision of road traffic warning signs, access details, and visibility splays. I am satisfied that with these conditions in place matters relating to highway safety would be adequately addressed. The Council refer to two other highway related appeals concerning the site, however, these cases are not directly comparable to the appeal proposal due to matters such as being materially different in nature, being assessed under a different policy context, and whilst related to highway matters I do not know the level of detail advanced by the parties to justify the decisions. In this case, I was satisfied on the balance of evidence presented and my site observations, that the highway implications would not justify refusal of the scheme. In any event, I have reached my own conclusions.

27. However, even if my interpretation of the highway issue is misplaced, in the overall balance, the appellant's case in terms of need for the development, and the confirmed lack of alternative sustainable locations within or adjacent to existing settlement boundaries, along with other factors such as the fact that the

proposal would utilise and existing access, would outweigh any other highway concerns; indeed this applies to other substantive matters relating to the appeal.

28. Pulling the threads of the above together, I therefore find that the proposed development would not harm highway safety and would not conflict with policy SP3 of the LDP, nor PPW insofar as these relate to highway issues.

Other Matters

29. Third parties have raised a number of concerns, such as loss of the best and most versatile agricultural land, however, there is no evidence that the appeal site falls into such a category. In addition, concerns have raised in regard to biodiversity impacts, however the Council are of the opinion the proposed development would be acceptable subject to conditions; I agree.

Conditions

30. I have considered the conditions suggested by the Council and discussed them with the main parties at the hearing in light of circular 016/2014: The Use of Planning Conditions for Development Management (2014) (the Circular) and imposed the bulk of them which meet the relevant tests, albeit with minor amendments where necessary to aid precision.

31. Suggested condition 2 personalises the permission to the appellant and his family. Paragraph 5.83 of the Circular states that conditions restricting occupancy should be used only where sound planning grounds can be demonstrated e.g. if personal circumstances would be critical to the decision to grant planning permission. However, the personal circumstances in this case were not central issues to the Council's refusal and would not justify imposing the suggested condition on site where the need argument and therefore a permanent permission has been justified; it follows that the suggested condition 3 (removal of structures etc post occupation) would also not be required. I have imposed the standard circular condition that restricts the site's occupation to only gypsies/travellers.

32. Suggested condition 11 relating to the removal of the existing hard standing is no longer required in light of the fact that the bulk of this area has already been removed. Suggested conditions 13 and 14 referred to the need for a waste management plan and the dealing with any potential contamination if present on the site. As the site has already been cleared of the vast bulk of material previously deposited on it and there is a lack of evidence to suggest there is contamination remaining on the site, I have deleted these suggested conditions. Proposed condition 15 requiring details relating to the provision of a water supply is not considered necessary as this matter can be addressed via other controls/legislation. Suggested condition 16 refers to limiting the site to two caravan pitches (dwellings) as identified on the Transport Assessment, however this condition is not necessary as the nature of the development is quite clear as per the wording on its description and the number of units is already addressed by condition 7 of this schedule.

Overall Conclusions

33. I have considered this appeal against planning policies related to the provision of gypsy/traveller accommodation, and for the reasons given above and having had regard to all matters raised, I conclude that the proposal development is considered acceptable.

34. In reaching my decisions, 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 these decisions are in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of making our cities, towns and villages even better places in which to live and work.

Declan K Beggan

Inspector

Schedule of Conditions

1. The development shall be carried out in accordance with the following approved plans and documents:

- Drawing 01b - Expanded Location Plan at Scale A3 @ 1:2500
- Drawing 02b – Existing Locations and Block Plan at Scale A3 @.1:2500 and 1:1000 respectively
- Drawing 03c – Existing Topographical Survey Plan at Scale A3 @ 1:500
- Drawing 04e – Proposed Site Plan A3 @ 1:500
- Drawing 05b – Proposed Visibility Splay Plans A3 @ 1:250
- Drawing 06b - Proposed Pite Entrance Plan Scale 1:250 @A3
- Drawing 07d– Utility Room floor Plan at Scale 1:50
- Drawing 08d – Utility room elevations -render finish at scale 1:100
- Drawing 09 - Proposed Treatment plant Details
- Drawing 10 - Static caravan typical floor plan at scale 1:50 A3
- Drawing 11 – Static Caravan- Typical Elevations at scale 1:100 @A3
- Croft Top Design and construction of crate-based soakaway Treatment Plan (designed for 8-person max)
- Croft Top soakaway system for bespoke Treatment Plan (8 person Max)
- Percolation Tests
- Ecological Appraisal by I and G Ecological Consulting dated 25/06/24
- Transport Statement by LVW highways dated February 2025

Reason: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

2. The occupation of the site shall only be by Gypsies and Travellers as defined by paragraph 2 of Welsh Government Circular 005/2018 and the resident of such dependents of such persons.

   Reason: The residential use of the site in this rural location would not be permitted unless occupied by a Gypsy or Traveller and to comply with Policy COM8 of the Bridgend Replacement Local Development Plan (2024).

3. The site shall be occupied by no more than 8 persons at any one time.

   Reason: The drainage and foul systems have been designed to accommodate a maximum of 8 people to comply with policy COM8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

4. Notwithstanding the submitted plans, within 3 months of the date of this decision, a biodiversity enhancement scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall have regard to the recommendations within the Ecological Appraisal by I and G Ecological Consulting dated 25/06/24 and set a timetable for its implementation. The works shall be carried out and maintained in accordance with the approved details.

   Reason: To safeguard and enhance biodiversity in accordance with PPW 12 Chapter 6 and Future Wales Policy 9 and policies DNP6 and DNP7 of the Bridgend Replacement Local Development Plan (2024).

5. No more than four vehicles shall be kept on the land for use by the occupiers of the caravans hereby permitted and none of those vehicles should exceed 3.5 tonnes in weight.

   Reason: To ensure a satisfactory use of the site, to safeguard local amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

6. No commercial or business activities shall take place on the land including the storage of commercial plant, machinery, or vehicles.

   Reason: To enable the Local Planning Authority to maintain control over the nature of the use, to safeguard local visual amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

7. No more than four caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968, comprising of two static caravans and two touring caravans shall be stationed on the site at any time.

   Reason: To ensure the satisfactory use of the site, to safeguard local visual amenities and to comply with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

8. Notwithstanding the submitted plans, within 3 months of the date of this permission, a landscaping scheme including full details of native tree and hedge planting shall be submitted to the Local Planning Authority. These details shall include all proposed planting and landscaping such as a schedule of plants/trees, species, and number/densities. The agreed landscaping scheme shall be carried out in the first planting season following the date of this consent. Any trees or plants which within a period of five years from the implementation of the landscaping scheme, 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: To maintain and improve the appearance of the area in the interests of visual amenity, to promote nature conservation and to comply with Policies SP3, DNP6, DNP7 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

9. The surface water and foul drainage systems herby approved shall be installed prior to the first beneficial use of the site and retained as such thereafter.

Reason: To ensure satisfactory foul and surface water drainage is provided and to comply with Policies COM8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

10. No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of the trees and hedgerows on and around the perimeter of the site. The approved scheme shall be carried out during the demolition of the buildings and throughout the course of the development.

Reason: To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP3 and DNP7 of the Bridgend Replacement Local Development Plan (2024).

11. The use of the day rooms shall be limited to the ancillary and incidental enjoyment of the residential pitches and for no other purpose.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

12. The common turning facility to ensure that all vehicles arrive and leave in a forward gear shall be provided before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

13. No development shall commence until a scheme for the provision of road traffic warning signs and/or road markings on both approaches to the site has been submitted to and approved in writing by the Local Planning Authority. The agreed signage scheme shall be implemented in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

14. The access, drive and turning facility shall be completed in permanent materials in accordance with the agreed details prior to the development being brought into beneficial use.

Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

15. The proposed vision splays shall be provided before the development is brought into beneficial use and retained and maintained as such thereafter in perpetuity.

    Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

16. No structure, erection or planting exceeding 0.6 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

    Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).

17. The entrance/gates shall be set back not less than 10 metres from the nearside edge of footway to ensure towing vehicles clear the carriageway.

    Reason: In the interests of highway safety and to comply with Policies SP3 and COM8 of the Bridgend Replacement Local Development Plan (2024).