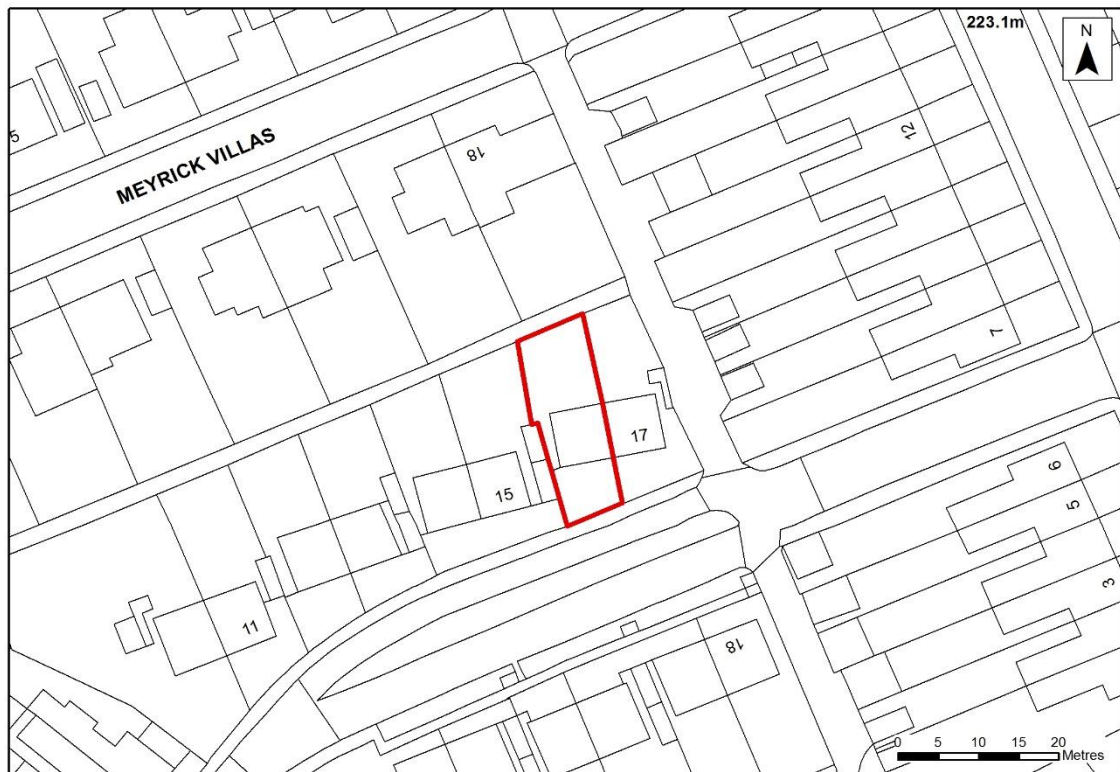


## FOR INFORMATION – APPEAL DECISION

<b>DATE WRITTEN</b>	18 <sup>th</sup> April 2019
<b>REPORT AUTHOR</b>	Judith Jones
<b>CASE OFFICER</b>	Rebecca Owens
<b>COMMITTEE</b>	Planning and Regulatory
<b>COMMITTEE DATE</b>	8 <sup>th</sup> May 2019

<b>Application No.</b> P/18/0177	<b>Date</b> 12.06.2018	<b>Determining Authority</b> MTCBC
<b>Proposed Development</b>  Erection of front extension and canopy, creation of parking area within front garden and associated retaining wall	<b>Location</b>  16 Llewellyn Street Merthyr Tydfil CF47 8SR	<b>Name &amp; Address of Applicant/Agent</b>  Mr N Minett 16 Llewellyn Street Merthyr Tydfil CF47 8SR



P/18/0177

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<b>TYPE OF APPEAL:</b>	AGAINST REFUSAL
<b>APPEAL REFERENCE NO.:</b>	APP/U6295/D/19/3221903
<b>APPEAL DECISION :</b>	15 <sup>th</sup> April 2019
<b>DECISION:</b>	DISMISSED

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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 25/03/19

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

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15.04.2019

## Appeal Decision

Site visit made on 25/03/19

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

an Inspector appointed by the Welsh Ministers

Date: 15.04.2019

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**Appeal Ref: APP/U6925/D/19/3221903**

**Site address: 16 Llewellyn Street, Merthyr Tydfil, CF47 8SR**

**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 Nicholas Minett against the decision of Merthyr Tydfil County Borough Council.
  - The application Ref: P/18/0177, dated 12 June 2018, was refused by notice dated 6 August 2018.
  - The development proposed is the erection of front extension and canopy, creation of parking area within front garden and associated retaining wall.
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### Decision

1. The appeal is dismissed.

### 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 consistent with that outlined on the Appeal Form, I am satisfied that there would be no prejudice in this respect.
3. During the processing of the planning application, revised plans were submitted. The Local Planning Authority (LPA) determined the application on the basis of the amended plans<sup>1</sup> and, for the avoidance of any doubt, I have considered the appeal on the same basis.

### Main Issues

4. These are the effect of the proposed development on: the character and appearance of the area; and pedestrian and highway safety along Llewellyn Street.

### Reasons

5. The appeal relates to a semi-detached residential dwelling located at No.16 Llewellyn Street in Merthyr Tydfil. The property incorporates a grassed front garden area that slopes gently from the public highway, with the dwelling sited at a relatively higher ground level. The appeal proposal seeks full planning permission to erect a front

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<sup>1</sup> Received by the LPA on 11 July 2018

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extension that would facilitate the provision of a w.c. and entrance porch. The structure would have a mono-pitched roof that would extend the full width of the property, creating a canopy over the existing ground-floor window. The development would also include the excavation of a significant portion of the front garden and the construction of retaining walls to create an area of off-street parking to the front of the property.

6. I was able to confirm at the time of my site visit that the appeal property comprises one of four pairs of semi-detached dwellings located on the northern flank of Llewellyn Street. Those dwellings are of relative uniform design and it is notable that they do not incorporate front extensions similar to that proposed in this case. Nevertheless, by virtue of the scale, form and overall design of the proposed front extension and associated canopy, I am satisfied that it would retain subservience to the host property and, thereby, not represent an incongruous or harmful addition to the appeal property or the pair of semi-detached properties to which it relates. Moreover, having regard to the fact that the frontage of the four pairs of semi-detached properties located along the northern side of Llewellyn Street is staggered, with the front elevation of the appeal property set back relative to the adjacent property to the west, I do not consider that the development would cause material harm to the street scene. In coming to this conclusion, I have also been mindful of the presence of a front porch and canopy, which I am advised has only recently been approved, on a property located opposite the appeal site.
7. Nevertheless, the appeal proposal also includes the provision of off-road parking that would result in the loss of the grassed area to the front of the appeal property. The grassed frontage represents a common feature of the pairs of semi-detached properties located within the immediate vicinity and its loss would clearly be detrimental to the character and appearance of the area. Moreover, the introduction of frontage parking at the property would lead to a cluttered appearance that would disrupt the relative openness, uniformity and visual rhythm of the four pairs of semi-detached properties located to the north of Llewellyn Street. To this limited extent, I concur with the Council's assessment that the development would cause material harm to the character and appearance of the area.
8. The scale of the proposed parking area would also fall considerably short of that typically expected of parking bays meaning that it is reasonably likely that cars utilising the facility would overhang the pedestrian footway, to the detriment of the free flow of pedestrians in the area. Such a situation would clearly represent a material threat to both pedestrian and highway safety. I note the appellant's contention that vehicles already park on the pavement. However, I do not consider such activity to justify the development described above, not least because obstructing a pedestrian footway can lead to fixed penalty notices being served. Similarly, whilst I note the presence of off-street parking facilities at other properties within the area, I have not seen any that incorporate the exact same set of circumstances as that proposed in this case. In any event, it is a well-established principle of planning that each case should be treated on its own particular merits and, on this basis, I do not consider such matters to weigh heavily in favour of the development.
9. Therefore, whilst I have concluded that the proposed extension would be acceptable in visual terms, the overall development, that would include the provision of off-street parking, would cause material harm to the character and appearance of the area. I also consider that it would represent a material threat to pedestrian and highway safety along Llewellyn Street. In light of such findings, it follows that the development would run counter to the general thrust of Policies BW7 and BW12 of the adopted

Merthyr Tydfil County Borough Council Local Development Plan 2006- 2021 (adopted 2011)(LDP). For these reasons, and having considered all matters raised, I conclude that the appeal should be dismissed.

10. 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 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG 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 WBFG Act.

*Richard E. Jenkins*

INSPECTOR