

FOR INFORMATION – APPEAL DECISION

DATE WRITTEN	13 th December 2019
REPORT AUTHOR	Judith Jones
CASE OFFICER	Caroline Pulley
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	8 th January 2020

Application No. P/19/0115	Date 10.10.2018	Determining Authority MTCBC
Proposed Development Provision of a new access and driveway to front of property	Location Glenbrook High Street Trelewis Treharris CF46 6AD	Name & Address of Applicant/Agent Mrs Ashleigh Bucknall Glenbrook High Street Trelewis Treharris CF46 6AD



P/19/0115

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TYPE OF APPEAL:	AGAINST REFUSAL
APPEAL REFERENCE NO.:	APP/U6925/D/19/3237675
DATE DECISION RECEIVED:	25 th November 2019
DECISION:	DISMISSED



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 06/11/19

gan Mr A Thickett BA(Hons) BTP Dip
RSA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 25.11.2019

Appeal Decision

Site visit made on 06/11/19

by Mr A Thickett BA(Hons) BTP Dip RSA
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 25.11.2019

Appeal Ref: APP/U6925/D/19/3237675

Site address: Glenbrook, High Street, Trelewis, CF46 6AD

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 Mrs A Bucknall against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref P/19/0115, dated 4 April 2019, was refused by notice dated 2 July 2019.
 - The development proposed is a new access and driveway to front of property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposed development on highway safety.

Reasons

3. The appellant proposes to turn the front garden of her house into a parking area with direct access to the road. The property is served by a communal lane which provides access to a garage to the rear of the house. That lane is narrow and access awkward. Given circumstances, the appellant's desire for a more convenient solution for getting to and from the car to the house is understandable.
4. At the time of my visit High Street was lined with parked cars and is no doubt busier in the evenings and weekends. The proposed access has its shortcomings with regard to visibility (limited due to parked cars) but from my observations would offer better visibility¹ than the lane which is just wide enough for one car and is lined by high walls at its junction with High Street. I share the Council's concerns regarding reversing movements into the highway but provided the parking area was restricted to one vehicle it would be possible to turn a car and enter and exit the site in forward gear. The appellant is willing to accept a condition restricting the use of the parking area to one vehicle.

¹ Both vehicular and pedestrian

5. The appellant has planning permission for a replacement garage, accessed via the lane. I agree with her that the proposed access would represent an improvement in terms of highway safety but only, in my view, if it is used instead of, not as well as, the lane. That being achieving a reduction in the use of the lane. The replacement garage was granted planning permission along with an extension to the house. That permission has been implemented and, therefore, there is no time limit for the construction of the new garage. I acknowledge that the family's circumstances are such that it is unlikely that the rear access would be used. However, should I allow the appeal there could be a change in circumstances such that in the future the occupiers of Glenbrook would use both the existing and proposed accesses.

Conclusion

6. I find that the proposed development would not have an adverse impact on highway safety subject to limiting the parking area to one vehicle and the cessation of use of the lane by the occupiers of the appeal property. However, there is no mechanism before me to secure the latter (this cannot be secured by the imposition of a planning condition) and I must conclude, therefore, that the proposal would have an adverse impact on highway safety and that it conflicts with Policy BW12 of the Merthyr Tydfil Local Development Plan, 2006 – 2021, adopted 2011.
7. 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 objective of building healthier communities and better environments.

Anthony Thickett

Inspector