

---

## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/07/17

gan Siân Worden BA MCD DipLH  
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 21.07.2017

## Appeal Decision

Site visit made on 03/07/17

by Siân Worden BA MCD DipLH MRTPI

an Inspector appointed by the Welsh Ministers

Date: 21.07.2017

---

**Appeal Ref: APP/T6850/D/17/3177535**

**Site address: Land adjacent to 26 Palleg Road, Lower Cwmtwrch, Swansea SA9 2QE**

**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 B Stone against the decision of Powys County Council.
  - The application Ref P/2017/0330, dated 24 March 2017, was refused by notice dated 18 May 2017.
  - The development proposed is vehicle access.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. I consider that the main issues in this case are the effect of the proposed development on:
  - highway safety in respect of visibility for drivers using the site; and on
  - the character and appearance of the surrounding area, particularly with regard to its location, form and design.

### Reasons

#### *Highway safety*

3. The appeal site is alongside a minor road leading out of the small settlement of Lower Cwmtwrch into the open countryside and also to a waste site. In its lower reaches there are dwellings to either side of the lane but as it climbs, development becomes dispersed. The appellant states that the proposed access is needed to provide space for parking a vehicle off the highway. The access point would be 4m wide with a small area of hardstanding behind sufficient to park a single vehicle. It would be likely to be used only once a week.
  4. The proposed vehicle access would be located in the wide, undeveloped gap between Nos. 26 and 30; it would be in the grounds of No. 32 which wrap around No. 30. At this point the eastern boundary of the lane is marked by a narrow, over-grown verge
-

and a tall, unruly and dense hedge. Opposite is the entrance to a dwelling and its outbuildings.

5. The submitted plan is rudimentary and does not demonstrate that the necessary visibility splays could be provided to either side of the proposed access point. Whilst a 45m distance might be achieved to the north that would not be possible to the south. In the latter direction, the line of sight would be across land not owned by the appellant. Being beyond his control, he would not have any ability to keep the land, and view, clear from obstruction. In this location the lane widens; I saw that traffic travelling down towards Lower Cwmtwrch does not curve in to the edge of the carriageway but follows the centre of the lane. To my mind, however, this does not significantly or reliably improve visibility at the proposed access point.
6. The lane is moderately quiet but several of the vehicles using it are heavy wagons. Three passed whilst I was visiting the site, a period of no more than 30 minutes; coming downhill they travel at some speed<sup>1</sup>. In addition, I am not confident that the size of the parking space would enable a vehicle to turn around within it. Either reversing in or, particularly, reversing out in a location with reduced visibility would entail some hazard and a risk to the safety of highway users.
7. The advice in TAN18 *Transport*<sup>2</sup> is that a minimum X distance of 2m may be considered in some very lightly trafficked and slow speed situations. Notwithstanding the greater width of the lane at this point, the prevailing traffic conditions do not accord with either of these criteria. Reduced visibility splays are not therefore justified. There would not be adequate provision for highway access, including visibility and turning, and the parking area would not be well designed in terms of safety. The proposed development would thus be contrary to Policy GP4 of the Powys Unitary Development Plan 2001-2016 (UDP), adopted March 2010.

#### *Character and appearance*

8. Little information has been provided in terms of the design and appearance of the proposed vehicle access and hardstanding. The houses along the lane have driveways and parking areas in various styles. The proposed development would not, however, be adjacent to a dwelling but uncharacteristically isolated in a section of the lane which, on its eastern side, is undeveloped and leafy. Furthermore, part of the existing hedge and verge would have to be removed, harming the verdant and countryside appearance of the lane in this location. Although a standard farm gate is proposed, the parking area adjacent to it, which would be particularly apparent when in use, would not be typically rural. The design, layout and size of the proposed development would not complement or enhance the character of the surrounding area, contrary to UDP Policy GP1.

#### *Other matters*

9. I have taken all the matters raised, including the 30mph speed limit, the width of the lane, the lack of footways, the limited use intended for the proposed development, and the small number of destinations further along Palleg Road, into account but not found any which would outweigh the harm caused. Neither the fact that visibility splays at existing properties are below standards, nor the absence of accident records,

---

<sup>1</sup> I have noted that the refuse tip, which they may be coming from, is due to close in a few years.

<sup>2</sup> TAN18 Annex B, paragraph B.6

are compelling reasons to permit a development which would be detrimental to highway safety.

**Conclusion**

10. The proposed development would harm both highway safety and the character and appearance of the surrounding area.
11. For the reasons given above I conclude that the appeal should be dismissed.
12. 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.

*Siân Worden*

Inspector