



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/10/22

gan Paul Selby BEng (Hons) MSc MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 31.10.2022

Appeal Decision

Site visit made on 20/10/22

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 31.10.2022

Appeal Ref: CAS-01995-Z7F3W6

Site address: 32 Enville Road, Newport, NP20 5AD

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 Paul Nicolaas against the decision of Newport City Council.
 - The development proposed is Proposed Level Garden.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposal on: a) the character and appearance of the area; and: b) the safety and convenience of highway users.

Reasons

3. The appeal relates to a detached dwelling set a modest distance back from the footway on Enville Road. Due to the sloping topography the dwelling is set below the level of the highway, in contrast to those opposite which are elevated. Part of the property's front garden accommodates a paved platform for parking vehicles. Steps leading to the dwelling's front door lie adjacent to this platform. To the other side of the steps is a small garden area which lies to the fore of a gable fronted projection at the dwelling's front elevation. A low wall topped with railings and bookended by pillars marks part of the front boundary.

Character and appearance

4. Near to the appeal site Enville Road is lined by detached and semi-detached dwellings fronted by modest gardens. Whilst there is little uniformity in the appearance of properties, a prevalence of soft landscaping and low boundary treatments in front gardens contributes positively to the street's open, pleasant character and appearance. Although

several properties nearby feature driveways, in the main these are provided to one side of dwellings and do not dominate the plots in which they are located.

5. The appeal scheme would extend the existing platform to create a largely level area which would span the majority of the dwelling's width and would be located around 1.7m above its base. The extended platform's retaining wall would be situated less than 1m from the gabled fronted projection of the front elevation, partially obscuring the dwelling's front door and a ground floor window in views from the street. Whilst laid with a grass grid partly bounded by planters, in my view the platform would appear as an engineered structure explicitly intended for parking vehicles rather than for visual amenity.
6. The appeal property's existing garden area is modest and features little landscaping, but like most other gardens in visual range it reflects the topography of the area. In contrast, the blockish form of the extended platform would plainly jar with the underlying landform. The platform's proximity to the dwelling's front elevation and the extent to which it would obscure the front door and window would appear incongruous, drawing the eye of observers. The removal of an existing front pillar would weaken the boundary between the footway and the driveway, resulting in a prominent, mainly hard landscaped area of considerable width which would appear as a dominant feature of the immediate street scene. Whilst I have no reason to doubt that the works would be finished to a high quality, this would not mitigate these harmful visual effects. Moreover, although proposals are determined on their individual merits, in my view allowing the appeal scheme would risk setting an undesirable precedent for residential properties with similar characteristics nearby, the cumulative effects of which would substantially harm the character and appearance of Enville Road.
7. The appellant has drawn my attention to an evergreen hedge in a nearby front garden which obscures views of that dwelling's front elevation. However, to my mind the visual effect of this natural landscaping is of a wholly different nature and lesser magnitude to that which would be caused by the permanent, hard landscaping of the appeal scheme. I afford this matter little weight.
8. As the proposal would be likely to displace vehicles from the kerbside, I am not persuaded that an additional car parked on the driveway would itself cause harmful visual clutter. This does not, however, affect my findings in relation to the visual effect of the extended driveway. For the above reasons I conclude that the proposal would conflict with policies GP2 and GP6 of the Newport Local Development Plan (LDP), which amongst other things seek to ensure that development would not be detrimental to an area's appearance and responds positively to an area's character.

Safety and convenience of highway users

9. As several properties nearby lack on-site parking or have driveways of limited breadth, I saw that parking on the street, footway or verge commonly occurs. As a result of this and the restricted width of the carriageway on Enville Road, vehicles travelling in opposing directions would be likely to have to wait and pull over to pass one another. I also have no reason to dispute the appellant's claim that refuse vehicles are occasionally unable to travel down this section of Enville Road.
10. It is for reasons of highway congestion that an additional off-street parking space is sought on the appeal site. However, the removal of one vehicle from the kerbside would not materially reduce the likelihood of the above-described events occurring. In any case, having regard to the probable limited volume and speed of traffic using this section of Enville Road, there is little evidence that the highway is currently operating unsafely.

11. Vehicles using the additional parking space would park at an angle and would therefore need to cross the footway diagonally. Drivers of vehicles emerging from the driveway in forward gear would have sufficient visibility over the proposed retained wall and pillar to avoid conflicts with oncoming pedestrians or vehicles. For drivers reversing out of the driveway, the oblique angle would limit visibility, including via rear-view mirrors. Nonetheless, given the relatively straight alignment of the highway near to the appeal site, the suburban context, and the likely low volume and speed of traffic, I consider that approaching vehicles or pedestrians would have sufficient advance notice of emerging vehicles, thereby considerably reducing the risk of conflicts occurring.
12. For the above reasons I conclude that the proposal would not harm the safety or convenience of highway users, and would accord with LDP policy GP4, which seeks for developments to provide suitable and safe access arrangements.

Other Matters

13. I have considered the other matters raised. I note the appellant's comments relating to historic tarmacking of grass verges on the street, but such matters lie outside the scope of this appeal. I do not doubt that local parking pressures may cause inconvenience to residents and visitors, and that pressures for parking may have increased since the appellant bought the property, but I am not persuaded that these inconveniences would be of a magnitude or frequency that would harm people's well-being. Moreover, as the appeal dwelling occupies a suburban location in proximity to public transport and services, there is little justification for the provision of additional on-site parking in this case. Nor is there any compelling evidence that parking on the driveway would avoid theft from vehicles, or that such incidents are commonplace.
14. I note the comments made regarding privacy within the appeal dwelling, but that matter has little bearing on the main issues of relevance to the case. Whilst I note the appellant's comments regarding the rights of mortgage payers, it is well-established that planning decisions consider a scheme's merits against the public interest. I afford these other matters limited weight.

Conclusion

15. I have found that the proposal would not harm the safety or convenience of highway users. However, that does not outweigh the harm caused to the area's character and appearance. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.
16. 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 to make our cities, towns and villages even better places in which to live and work.

Paul Selby

Inspector