



## Appeal Decision

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by Richard James Bsc (Hons) Msc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 04/08/2023

Appeal reference: CAS-02594-N2V7T6

Site address: 483 Llangyfelach Road, Brynhyfryd, Swansea, SA5 9EA

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- 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 Ms N Griffiths against the decision of the City and County of Swansea Council.
  - The application Ref 2022/2193/FUL, dated 15 September 2022, was refused by notice dated 17 November 2022.
  - The development proposed is a single storey rear extension and infilling of boundary wall.
  - A site visit was made on 3 July 2023.
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### Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and infilling of boundary wall at 483 Llangyfelach Road, Brynhyfryd, Swansea, SA5 9EA, in accordance with the terms of the application, Ref 2022/2193/FUL, dated 15 September 2022, subject to the conditions set out in the schedule to this decision letter.

### Main Issue

2. This is the effect of the proposal on highway safety, with particular regard to parking provision.

### Reasons

3. The appeal site comprises the rear courtyard of a hair, beauty and suntanning salon, which currently provides some off road parking and is accessed from Llangyfelach Road in close proximity to Brynhyfryd Square's junction. The salon is set among a number of retail and commercial premises that front onto the junction and forms part of the Brynhyfryd Local Centre, as designated within the Swansea Local Development Plan (LDP). The proposal seeks a rear extension into this courtyard for five sunbed rooms plus a store. It would replace the vehicular access with a new boundary wall, removing on site parking. Pedestrian access from Llangyfelach Road would be retained.
4. LDP Policy PS 2 requires all proposals to, amongst other matters, create or enhance opportunities for active travel and greater use of public transport, and provide appropriate parking and circulation areas for cars, cycles, motor bikes and service vehicles. LDP Policy T 6 requires proposals to be served by appropriate parking provision in accordance with maximum parking standards. Supplementary planning guidance '*City and County of Swansea Parking Standards*' (SPG), provides maximum parking standards, which amongst other things, aim to ensure that sufficient parking space is provided to avoid the need to park on street and thereby cause congestion and danger.

In this case, the Council has stated a requirement for five additional car parking spaces on site, based on the addition of five sunbeds.

5. With respect to the availability of parking within the locality, at the time of my site visit (mid-morning) I saw that the car park opposite the site, across Llangyfelach Road, was at full capacity, and limited undesignated on street parking was available along neighbouring residential streets and Llangyfelach Road. I do not dispute therefore that parking provision in the locality is in high demand.
6. Nonetheless, the courtyard is an awkward 'L' shape which restricts parking and turning space. Whilst the submitted vehicle swept path analysis indicates that turning would be possible for a medium sized car, it would nevertheless require multiple manoeuvres in a confined area, to enter and leave in forward gear. These constraints are likely to be a deterrent to its use, and I do not therefore consider that the existing car park makes a fundamental contribution to off road parking in the locality.
7. Furthermore, the submitted swept path analysis indicates that any larger service vehicle parking within the courtyard would likely require a reversing manoeuvre onto the highway. This would cause direct obstruction to any oncoming traffic, at close proximity to the junction. The proposal to remove this vehicular access would, therefore, improve vehicle and pedestrian safety and the free flow of traffic within the site's immediate vicinity.
8. I also saw that single or double yellow lines run on the highway approaches to the junction. These either restrict on street parking at all times, or during normal commercial opening hours (8am – 6pm, Monday to Saturday). Given that trips to the appeal site are likely to be of some duration, it is unlikely that customers would seek to park in these locations. There is, therefore, severely limited opportunity for the proposal to cause additional indiscriminate on street parking within these areas, that would impede the free flow of traffic.
9. Having regard to the choice of shops and facilities in the local centre, customers would be attracted to the area for a variety of reasons, including for multi-purpose trips. I saw that, as is common within many urban centres, most of these premises do not provide their own off street parking provision, with parking demand being absorbed within the area generally. I accept that the proposal would invariably increase the capacity of the site to attract more customers, and potentially staff, but given the small scale of the development proposed, and in the context of the Local Centre's current draw as a whole, I would not equate this with any material increase in parking demand.
10. Furthermore, the submitted evidence demonstrates the site is located within a highly sustainable urban location, served by multiple public transport routes, a cycle network and good pedestrian accessibility from a number of other services, amenities and residential areas in the locality. These travel options offer realistic alternatives to the use of a private car for both customers and staff, particularly where parking is limited, which would mitigate the proposal's impact on parking demand within the locality. A condition to secure appropriate cycle parking provision would further encourage and enhance active travel, in accordance with the requirements of LDP Policy PS 2.
11. I acknowledge that Llangyfelach Road forms part of an 'abnormal load route' and is one of the main arterial routes through Swansea, which should be kept clear from obstruction. However, it has not been demonstrated that the proposal, as part of the wider Local Centre's commercial offer, would be directly linked to an increased level of indiscriminate parking, to the detriment of the free flow of traffic along this route or the locality. As such, I conclude that the proposal would not be harmful to highway safety or conflict with the requirements of LDP Policies PS 2, T 6 or the SPG.

## Conditions

12. I note the inclusion of condition No. 3 to application ref. 2017/2503/FUL, which restricts the visiting hours of customers, in the interests of protecting the living conditions of occupiers of nearby dwellings. This proposal seeks to extend the existing business, which is near residential dwellings. I therefore consider it necessary to attach the same condition to this decision, for the same reason and to comply with LDP Policy PS 2, which among other matters, requires all proposals to ensure that no significant adverse impacts would be caused to people's amenity. I am satisfied from my observations that sufficient external space would be available within the appeal site for undercover storage for three bicycles, for which a condition to secure this provision would be necessary to comply with Policy PS 2.

## Conclusion

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.
14. 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 one or more of the Welsh Ministers' well-being objectives.

*Richard James*

INSPECTOR

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## SCHEDULE OF CONDITIONS

1. The development shall begin not later than five years from the date of this decision.  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development shall be carried out in accordance with the following approved plans:  
Existing Floor Plans, Drawing No. 10.178.01  
Existing Site Location Plan, Block Plan and Elevations, Drawing No. 10.178.02  
Proposed Floor Plans, Drawing No. 10.178.03  
Proposed Site Location Plan, Block Plan and Elevations, Drawing No. 10. 178.04  
Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.
3. No development shall take place until a scheme for biodiversity enhancement and an implementation timetable has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interest of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.

4. No development shall take place until a scheme for the secure and undercover storage for 3 bicycles and an implementation timetable for their installation has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and thereafter be retained for the lifetime of the development.

Reason: In the interests of sustainability and to encourage alternative forms of transport in accordance with Policies PS 2, and T 6 of the Swansea Local Development Plan (2010-2025).

5. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a proper standard of development and appearance in the interests of conserving the character and appearance of the area in accordance with Policy PS 2 of the Swansea Local Development Plan (2010-2025)

6. Customers are not permitted on the premises outside the hours of 8:00am to 7.00pm Monday to Saturday and 9.00am to 4.00pm on Sunday.

Reason: To protect the living conditions of the occupiers of neighbouring dwellings in accordance with Policy PS 2 of the Swansea Local Development Plan (2010-2025)