



## Appeal Decision

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by I Stevens BA (Hons) MCD MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 19/05/2023

Appeal reference: CAS-02200-P7H1Q9

Site address: 2 Market Street, Abertillery, NP13 1AH

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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 Mr Louis Lattuca against the decision of Blaenau Gwent County Borough Council.
  - The application Ref C/2022/0199, dated 13 July 2022, was refused by notice dated 31 August 2022.
  - The development proposed is conversion of dwelling into 2 no. apartments.
  - A site visit was made on 5 May 2023.
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### Decision

1. The appeal is allowed, and planning permission is granted for conversion of dwelling into 2 no. apartments at 2 Market Street, Abertillery, NP13 1AH, in accordance with the terms of the application, Ref C/2022/0199, dated 13 July 2022, subject to the conditions set out in the schedule to this decision letter.

### Main Issue

2. The main issue is the effect of the proposed development on highway safety, having regard to the demand for car parking.

### Reasons

3. The appeal site comprises a two-storey dwelling on the corner of Market Street and King Street. The property is in a dense, built-up area that is characterised by a mix of uses including commercial and residential. In planning policy terms, the property is outside of but adjacent to the Abertillery town centre boundary as defined in the Blaenau Gwent Local Development Plan (LDP), adopted in November 2012.
4. It is proposed to convert the existing dwelling into two apartments, with two bedrooms in the ground floor apartment and three bedrooms in the first-floor apartment. The Council's Access, Car Parking and Design Supplementary Planning Guidance (SPG) (March 2014) advises on car parking provision in new developments, using the number of bedrooms as a guide to determine the number of spaces required. It is noted that the relevant parking

standards are framed as maximum figures which should be applied flexibly to the circumstances in which a proposal is located, in accordance with Planning Policy Wales (PPW) Edition 11 (February 2021) and Technical Advice Note (TAN) 18: Transport (March 2007).

5. Based on the recommended standards, the proposal would require five car parking spaces in total. However, the guidance also explains that a reduction in standards is permitted where a development can show its sustainability credentials. Sustainability points can be applied to schemes that meet different criteria including their walking distance to local facilities, access to and frequency of public transport in the area, and cycle routes.
6. The Council's highways officer advises that with the sustainability criteria applied, each apartment would still require the provision of one car parking space. I note that the existing three-bedroom property has no parking spaces. the proposal would therefore in effect create the additional need for one parking space, based on the standards.
7. The Council's objection to the scheme is based on the lack of any car parking spaces in an area of limited off-street parking. I saw there are double yellow lines along Market Street, in front of the appeal property and other dwellings on the opposite side of the street. Much of King Street has double yellow lines on both sides, although there are designated parking bays at intervals along the highway. The nearest parking bays have 30-minute parking restrictions during the daytime between Monday and Saturday, with no return within an hour.
8. My attention is drawn to three car parks located near to the appeal site. One is located further down King Street, another is located along Market Street, and the other car park is located on Mitre Street. I visited each car park and saw that the King Street and Mitre Street spaces allow vehicles to park for up to 24 hours in any given period, with no return within an hour. The Market Street car park is adjacent to a cultural and conference centre, where a sign advises that parking is allowed between 0900 and 1900 Monday to Saturday unless otherwise required by the centre.
9. At the time of my site visit, during a weekday late morning, I observed that the car parks were well used, with several comings and goings, although some spaces were available at Market Street and Mitre Street. I also saw that some vehicles were briefly parked on double yellow lines along the one-way Market Street near to the appeal site. There were some available unrestricted on-street parking spaces in front of dwellings along one side of Cross Street, opposite the appeal site.
10. I can see that, at times, there may be competition for parking spaces between residents, workers, and visitors to the town centre. Notwithstanding these pressures, it was also evident that the area is one where increased car ownership over time has impacted on the finite road space available, with consequential impacts for on-street parking. As a result, the Council has applied parking restrictions in the surrounding area to the appeal site and residents may have to park away from their homes on occasions. In higher density living and working environments such as Abertillery town centre, lower parking standards are not unusual. In any event, options are available nearby on certain streets and within designated car parks which allow for up to 24 hours of parking.
11. Moreover, it is recognised that the appeal property is in a sustainable location, as it is within walking distance of the town centre and its local facilities. Public transport options are also available nearby, with bus services stopping along High Street. Future occupiers would be aware that they would not have access to on-site vehicle parking, although spaces may be available nearby that allow for parking over varying time periods. They would choose to buy or rent the properties with these factors in mind, recognising its

sustainable location. Those factors may prevent or discourage some future occupants from living at the properties.

12. There is little evidence that the modest scale of the proposal would result in any material change to existing car parking conditions to the extent that it would cause harm to highway safety. While the Council refer to on-street parking pressures within the vicinity of the appeal property, given that parking restrictions are in place, planning decisions can only be reasonably based on the premise that the laws and restrictions in respect of vehicle parking will be enforced by the relevant authorities. In the circumstances I have described, several on-street and off-street parking opportunities exist to cater for the needs of future occupants.
13. I conclude that the proposed development would not have an adverse effect on highway safety, having regard to the demand for car parking. The proposal would comply with the relevant accessibility criteria in Policy DM1 of the Blaenau Gwent LDP.

### **Conditions**

14. I have considered the conditions recommended by the Council in the light of advice in Welsh Government Circular 016/2014 'The Use of Planning Conditions for Development Management'. In addition to the standard conditions, I agree that a biodiversity enhancement condition is necessary as set out in national and local planning policy.

### **Conclusion**

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

*I Stevens*

INSPECTOR

## SCHEDULE OF CONDITIONS

- 1) The development shall begin not later than five years from the date of this decision.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following approved plans:
- Drawing number: 22-071/P/01 – Site location plan
  - Drawing number: 22-071/P/04 – Ground floor plan as proposed
  - Drawing number: 22-071/P/05 – First floor plan as proposed
  - Drawing number: 22-171/P/06 – Elevations as proposed
  - Drawing number: 22-171/P/07 – Site plan as proposed

Reason: To ensure the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3) No development shall take place until a scheme for biodiversity enhancement 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 interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.