
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 05/01/21

gan Joanne Burston, BSc MA MRTPI
AIPROW

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 27th January 2021

Appeal Decision

Site visit made on 05/01/21

by Joanne Burston, BSc MA MRTPI
AIPROW

an Inspector appointed by the Welsh Ministers

Date: 27th January 2021

Appeal Ref: APP/H6955/A/20/3256248

Site address: 2 Oxford Street, Wrexham, LL13 8HA

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 Sarah O'Connell Jones against the decision of Wrexham County Borough Council.
 - The application Ref: P/2019/0953 dated 24 December 2019, was refused by notice dated 3 February 2020.
 - The development proposed is described as the *conversion of existing 3-bedroom dwelling into 5-bedroom HMO. Formation of drop kerb, access and new parking spaces to side of dwelling.*
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Decision

1. The appeal is allowed and planning permission is granted for change of use of existing 3-bed dwelling into 5-bed (single occupancy) house in multiple occupancy (HMO) and construction of new access and a car parking space to side of dwelling at 2 Oxford Street, Wrexham, LL13 8HA in accordance with the terms of the application, Ref P/2019/0953 dated 24 December 2019, and the plans submitted with it, subject to the conditions set out in the annex to this decision.

Procedural Matters

2. Although the planning application was made in the terms given in the heading to this decision, this was changed by the Council to '*change of use of existing 3-bed dwelling into 5-bed (single occupancy) house in multiple occupancy (HMO) and construction of new access and a car parking space to side of dwelling*'. Whilst there is nothing to indicate that this revised description was agreed with the appellant it does give an accurate description of the proposal. For clarity I have used this in my decision.
 3. 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 objectives of driving sustainable growth and better environments.
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Main Issue

4. The main issue in this appeal is the effect of the proposed development on highway safety, with particular regard to parking.

Reasons

5. The appeal site is located in a suburban residential area, not far from the city centre and within walking distance of local facilities and bus routes. Notwithstanding the sustainable location, the Council and local residents are concerned that the proposal would lead to an increase in on-street parking demand.
6. The majority of dwellings located on Oxford Street do not benefit from off-street parking. Nevertheless, the car parking standards¹ for HMO's of between 1 to 6 bedrooms equate to 1 car space per bedroom up to a maximum of 4 spaces. This represents an increase of one space when compared to the existing use of the property as a 3-bedroom dwelling which, given the lack of parking provision within the site, would have to be met through on-street provision. Where the amount of parking provided is below the maximum the Council would need to be satisfied that this is appropriate for the likely level of demand.
7. At present the dwelling has no off-road parking and I accept that the required off-road parking standards cannot be met by this proposal. However, parking standards are generic guidance and should be applied reasonably to the individual circumstances of the development. In this case, given the sustainable location I am of the opinion that the development would not likely have a significant effect on traffic generation, parking problems or road safety within the area.
8. I also note that as the appellant proposes 1 off-street parking space, the parking demand along Oxford Street is unlikely to result in an increase above that which already exists. Moreover, there is no objection from the highway authority in respect of parking and traffic generation, or any suggestion from it that highway safety or access for emergency vehicles would be compromised.
9. Taking all of these matters into account, I therefore find that the house, with its one off-street parking space, has adequate parking provision and that the proposed change of use would not exacerbate on-street parking to the extent that highway safety or the free flow of traffic would be materially harmed. It would therefore comply with the Wrexham Unitary Development Plan Policy T8 which require development proposals to provide parking spaces, having regard to, amongst other matters, the availability of public transport and proximity to local services and facilities.

Other matters

10. The properties on Oxford Street are predominantly residential and I saw nothing to physically distinguish the appeal property from any other dwelling on the street. The main physical changes are to the rear of the building as well as the proposed access and drive alterations. Nonetheless, these changes would have a limited impact on the character and appearance of the street scene. Further, although the HMO is a more intense occupation and the nature and pattern of activity may be somewhat different, I consider it unlikely that it will have an adverse impact on the character and appearance of the area.

¹ Local Planning Guidance Note No.16 Parking Standards, adopted 2018.

Conditions

11. The Council has suggested a number of conditions which they consider should be imposed in the event that the appeal is allowed. In some cases, I have modified or combined suggested conditions in light of the advice contained in Circular 016/2014.

Conclusion

12. The appeal is allowed, and planning permission granted subject to the conditions set out in the annex to this decision.

Joanne Burston

INSPECTOR

ANNEX

Conditions attached to appeal decision APP/H6955/A/20/3256248

- 1) The development shall begin not later than five years from the date of this decision.
Reason: To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2) The development shall be carried out in accordance with the following approved plans: OS/PD/02, OS/PS/03 and OS/PD/04 Revision B.
Reason: To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- 3) No part of the development shall commence until a scheme for the relocation of the lighting column fronting the site has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full prior to the first occupation of the development.
Reason: In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
- 4) Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway and shall include an Aco type drain or similar to intercept any surface water run-off.
Reason: To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

- **END** -