
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 24/06/16

gan Siân Worden BA MCD DipLH
MRTPI

Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 03/08/2016

Appeal Decision

Site visit made on 24/06/16

by Siân Worden BA MCD DipLH MRTPI

an Inspector appointed by the Welsh Ministers
Date: 03/08/2016

Appeal Ref: APP/H6955/A/16/3149202

Site address: 59 Blue Bell Lane, Pandy, Wrexham LL11 2UH

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 outline planning permission.
 - The appeal is made by Mr D Hinds of Viewhaven Ltd against the decision of Wrexham County Borough Council.
 - The application Ref GWE P/2015/0743, dated 23 September 2015, was refused by notice dated 6 November 2015.
 - The development proposed is a detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was in outline with all matters reserved for later determination.

Main Issues

3. I consider that the main issues in this case are the effect of the proposed development:
 - on the character and appearance of the surrounding area; and
 - on highway safety.

Character and appearance

4. The appeal site, which is in a mainly residential area, is currently part of the back garden of a house, No 59, fronting Blue Bell Lane. A short cul-de-sac, an extension of Blue Bell Lane, runs to its side. The dwelling proposed would have two bedrooms, would be of a similar height and scale to existing dwellings, and would take access from the cul-de-sac.
 5. There are three pairs of semi-detached dwellings in the cul-de-sac located around the far end. The existing back garden of No. 59 is enclosed by a wall topped by a high hedge and contains a garage; the latter would be removed to make way for the proposed dwelling. That garden together with the open, side gardens of Nos. 53 and
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Nos 58, and the distance of the houses from the road, prevent the narrow cul-de-sac from appearing congested or overdeveloped.

6. The plans indicate that the proposed dwelling would be no more than 2m from the pavement whilst the existing houses in the cul-de-sac are set back by roughly 6m. It would be located close to the bend in the centre of the cul-de-sac where it would be clearly visible from the junction with Blue Bell Lane and from the existing houses. To my mind, in this prominent position and set so close to the road, it would be obtrusive and overbearing, making the cul-de-sac as a whole feel crowded and eroding the existing openness. The new parking spaces, which would require a substantial part of the existing boundary hedge to be removed, would add to the developed area of the site and exacerbate the cramped effect.
7. The siting of the proposed dwelling, in what is a shallow plot of about 13m deep, is indicative only. Moving the proposed dwelling backwards in order to provide a front garden consistent with others in the street would, despite the area provided behind the parking spaces, significantly decrease the amount of private garden space available. Such a change would be likely to be contrary to the guidance set out in the Council's *SPG Space Around Dwellings*¹ and would, in any event, be detrimental to the living conditions of future occupiers.
8. The proposed development would not, therefore, accord with the character of the site or make a positive contribution to the appearance of the nearby locality and would detrimentally affect the character of the townscape. It would thus be contrary to Policies PS2 and GDP1 of the Wrexham Unitary Development Plan 1996-2011 (UDP) which was adopted in 2005.
9. There is no policy requirement for proposals to precisely follow existing residential form. In this case, however, the inconsistency in layout would be harmful to the character of the cul-de-sac.

Highway safety

10. Visibility at the junction between the cul-de-sac and Blue Bell Lane is restricted to one side and does not meet Welsh Government standards. The cul-de-sac currently serves eight dwellings; as well as the six houses within it, Nos. 59 and 52 front Blue Bell Lane but have access points onto the cul-de-sac from their back gardens. Evidence² provided by the appellant using the TRICS database, the industry standard method of determining trip rates, indicates that the proposed dwelling would not result in a significantly greater number of traffic movements through the junction. In addition *Manual for Streets 2* (MfS2) notes that no evidence has been found that a failure to provide the recommended levels of visibility at priority junctions results in an increased risk of injury collisions³. It further notes that at urban junctions where visibility is limited drivers tend to nose out carefully⁴. There are no records of accidents here and it seems likely that this is the way in which existing occupiers safely negotiate the junction.

¹ Local Planning Guidance Note No. 21, 2nd page

² Appellant's Statement of Evidence, Appendix 5

³ MfS2 paragraph 10.4.2

⁴ MfS2 section 10.7

11. A new parking space would be provided for No. 59 adjacent to two spaces for the proposed dwelling. A swept path analysis provided by the ⁵appellant indicates that, due to the narrow width of the carriageway, some toing and froing might be necessary to park in them, as is currently the case in order to access the existing parking spaces at Nos. 59 and 52. Nonetheless I do not consider that this would severely deter their use; potential on-street parking spots in the cul-de-sac and Blue Bell Lane would be further from the existing and proposed dwellings.
12. The geometry of the cul-de-sac, with its lack of a turning head and narrow width, is an existing condition. Problems or inconveniences arising from it, such as limited access for delivery and refuse vehicles and the need to reverse out into Blue Bell Lane, would not be considerably exacerbated by the additional traffic movements from the proposed dwelling. In addition, since the proposed parking spaces would be close to its entrance, traffic movements along the remainder of the cul-de-sac would not be likely to increase significantly.
13. All things considered, I do not consider that there would be increased danger to highway users. The proposed development would provide safe and convenient vehicular access, in line with UDP Policy GDP1.

Other matters

14. There is no dispute that the broad location is appropriate for residential development and that the Wrexham sub-area is particularly suitable because of its public transport, retail, employment and other services. In addition I have noted the appeal site's proximity to public transport routes and local jobs, services and facilities. These benefits do not, however, outweigh the harm that would be caused to the character and appearance of the surrounding area, regardless of it not being the subject of any protective designations.
15. The UDP has passed its end date and thus there is not a five year supply of housing land in the County Borough. In such circumstances, and with the additional advantage of the site falling within the definition of brownfield land⁶, the proposed dwelling would make a small but welcome contribution to the housing stock. Since the proposal would not comply with other development plan policies in respect of character and appearance the need to increase housing supply does not attract considerable weight.
16. That the existing garden to No. 59 is comparatively large and said to be underused is not a compelling reason to allow the appeal. Nor is the fact that the proposal would result in a mix of house types and designs in the vicinity and utilise the bends and curves in the cul-de-sac. I recognise that, as the application is in outline, the Council would be able to control the appearance and materials of the proposed dwelling. Moreover, the separation distances between neighbouring dwellings would be sufficient and fenestration could be arranged such as to cause no loss of privacy.
17. Planning Policy Wales (PPW) provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated⁷. I have found that the scheme would be detrimental to the character and appearance of the area; as a result of that environmental harm the proposal

⁵ Appellant's Statement of Evidence, Appendix 6

⁶ PPW edition 8, Figure 4.4

⁷ PPW edition 8, paragraph 4.2.2

would not qualify as sustainable development, despite its other attributes and the contribution it would make, albeit limited, to other objectives.

18. I am aware of the need to consider the development plan as a whole. To my mind that does not mean that significant deficiencies in a scheme should be cancelled out by conformity with general principles and other policies.

Conclusion

19. I have found that, although the proposed development would not be detrimental to highway safety, it would harm the character and appearance of the surrounding area. That is reason in itself to refuse the appeal. I have taken account of all the matters raised but not found any which would outweigh the harm caused.

20. For the reasons given above I conclude that the appeal should be dismissed.

Síán Worden

Inspector