



Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 16/01/13

Site visit made on 16/01/13

gan Gareth A. Rennie BSc(Hons) DipTP
Arolygydd a benodir gan Weinidogion Cymru
Dyddiad: 11/03/13

by Gareth A. Rennie BSc(Hons) DipTP
an Inspector appointed by the Welsh Ministers
Date: 11/03/13

Appeal Ref: APP/H6955/A/12/2186421

Site address: Black Horse Inn, Top Road, Summerhill, Wrexham, L11 4TA

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 LH Taverns (NW) Ltd against the decision of Wrexham County Borough Council.
- The application Ref GWE P/2012/0259, dated 27 February 2012, was refused by notice dated 14 September 2012.
- The development proposed is the conversion and alterations of a public house and residential accommodation to form 5. no 2 bed dwellings, ancillary works and parking.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the living conditions of its residents.

Reasons

3. The proposal in this case is for the conversion of the currently disused and vacant public house into residential units. The pub did originally have accommodation above and had some amenity space in a raised deck. The provision of five units within this building, two 2 bedroom and one 1 bedroom is possible and would result in reasonable internal living space for the residents. Nevertheless the building almost fills its plot, as would the proposed development and as a result there is little space available for amenity areas.
4. I consider that access to appropriate outdoor space for normal activities such as sitting out, hanging washing or storing refuse is essential and the lack of access to such space would undermine the quality of life of residents. The two bedroom units in particular seem to be intended for family occupation and as such would provide wholly inadequate garden area in terms of play space, security and privacy.
5. The proposed allocation of amenity space and parking appears contrived and the amenity space that is allocated for the proposed unit 2 in particular would be very small and oppressive, due to the size and height of the boundaries, which is

dominated by a large wall. The result would be a very limited, barely usable space that would seriously undermine the living conditions of residents of the proposal.

6. In addition the overall space available to each unit is small, lower than the one would expect as an appropriate area even in this urban context, certainly a good deal lower than the Council's Local Planning Guidance Note 21 – *Space around Dwellings* (SPG) would suggest as an appropriate area. There is a communal area proposed for drying of washing etc but this would compound the lack of accessibility and could lead to conflict over the use of the area.
7. Moreover, the siting of the bins storage area within the parking area, some distance across the road from the building, is unsatisfactory in that it would force residents to cross the road to deposit refuse. This would undermine the usability of the space and its lack of accessibility would compound the harm that I have already identified. The proposal may reduce the amount of overlooking by siting amenity spaces at ground level but this would result in a poor provision of amenity space overall.
8. For these reasons I conclude that the proposal would have a seriously harmful impact on the living conditions of its residents. It is therefore contrary to policy GDP1 of the Wrexham Unitary Development Plan (UDP) which seeks to ensure the safety and amenity of the public. It is also contrary to guidance within the Council's SPG which seeks to maintain adequate garden space within new developments.
9. I note the comments made by the appellants concerning the housing supply in the borough, nevertheless I consider that it does not outweigh the harm that I have identified. I have also had regard to the proposed unilateral undertaking. However, such an undertaking has not been completed or submitted and it carries little weight.
10. Consequently for the reasons given above and having considered all other matters raised I conclude that the appeal should be dismissed

Gareth A. Rennie

Inspector