
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/06/21

gan **C MacFarlane, BSc (Hons) MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 5/7/21

Appeal Decision

Site visit made on 14/06/21

by **C MacFarlane, BSc (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 5/7/21

Appeal Ref: APP/H6955/A/21/3273443

Site address: Land adjacent to 68 High Street, Coedpoeth, Wrexham, LL11 3SD

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 Mr Rob Scott against the decision of Wrexham County Borough Council.
 - The application Ref: COE P/2020/0638 dated 6 October 2020, was refused by notice dated 15 March 2021.
 - The development proposed is the demolition of the existing garage. Construction of 4-bedroom dwelling and associated parking and access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. No site address was provided in the application form; therefore I have taken the address from the appeal form and Council's decision notice, which accords with the location plan submitted.

Main Issues

3. The main issues are the effect of the proposal on (i) the living conditions of the occupiers of the neighbouring properties, and of future occupiers of the proposal, and (ii) highway safety.

Reasons

Living conditions

4. The appeal site is a long, narrow plot with a frontage onto High Street. A single-storey garage is positioned close to the centre of the site, with an area of hardstanding and vehicle access to the front. The adjacent property, 68 High Street, is an end-terrace dwelling, with another dwelling, 2 Salem Road, located to the rear of the site. A police station is situated to the site's north-west boundary.
 5. The proposal would replace the existing garage with a two-storey detached dwelling, which would be positioned further into the site and close to the boundary with No. 68. Due to the height and depth of the proposal, its proximity to the boundary and
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dwelling at No. 68, there would be a significant enclosing effect when viewed from the rear windows and garden of No. 68. This would be exacerbated by the off-set position of No. 68, which would allow direct views from the rear windows onto the proposed dwelling. I also note that the separation distances between dwellings would be substantially below those set out in the Council's adopted Local Planning Guidance Note No. 21 'Space around Dwellings' (LPGN). The result would be a dominant and oppressive form of development which would be detrimental to the outlook of the occupiers of No. 68.

6. With regard to the effects of the proposal on the occupiers of No. 2, the Council has not specified any harm that it considers would be caused, other than the minimum separation distances between dwellings set out in the LPGN would not be achieved. The side elevation of No. 2 is positioned close to the boundary with the proposal and is blank, with the exception of some small high-level windows between ground and first floor level in a later addition to the front of the dwelling. Due to the small size and position of these windows, I do not consider there would be any harm caused to the occupiers of No. 2, with regard to either outlook or privacy.
7. In relation to the living conditions of future occupiers of the proposal, the proximity and height of No. 68 would result in an overbearing effect when viewed from the windows in the front elevation of the proposed dwelling. Views from the rear of the dwelling would be directly onto, and close to, the side elevation of No. 2. Combined with the largely blank appearance of this elevation and its extent along the majority of the width of the appeal site, this would result in a dominant and overbearing feature when viewed from the rear windows of the proposed dwelling. As most of the windows would be located in the front and rear elevations of the proposed dwelling, there would consequently be significant harm caused to the outlook of future occupiers.
8. I note the appellant's comments regarding the limited numbers of windows facing towards the adjacent police station, and willingness to provide boundary screening to this elevation. However, this would not address the effects of the proposal in respect of the dwellings to the side and rear of the appeal site. I therefore conclude that the proposal would cause significant harm to the living conditions of the occupiers of 68 High Street, and to future occupiers of the proposed dwelling, and would not comply with Policy GDP1 of the Wrexham County Borough Council Unitary Development Plan (UDP).

Highway safety

9. Vehicle access serving the site is directly onto the A525 High Street, which is a key route through Coedpoeth, and towards Wrexham and the wider area. At the time of my visit I observed a steady flow of traffic in both directions, travelling at speeds close to the 30mph restriction. On either side of the site there are vehicle accesses for No. 68 and the police station. On the opposite side of the highway, there is a junction with Assembly Road, a bus stop and a convenience store with a small car park.
10. The plans submitted with the proposal show parking spaces for two vehicles within the site. However, due to the restricted width of the site, there would be insufficient turning space to allow vehicles to exit the site in a forward gear. Vehicles reversing out of the site would have reduced visibility of pedestrians and vehicles on the highway, with a resultant increase in the risk of collisions when compared to exiting in a forward gear. This would be exacerbated by the sub-standard visibility splay towards the north-west, with various items of street furniture and the boundary wall pillar impairing views for vehicles exiting the site. Although it may be possible to

reduce the pillar in height, its position behind the existing street furniture mean that this would be unlikely to completely overcome the deficiency in visibility.

11. I acknowledge that, currently, any vehicles exiting the site would have to reverse out into the highway, in the presence of restricted visibility, and that there is potential for more than two vehicles to be parked within the site at any time, which could generate an unrestricted number of movements. The submitted Highways Assessment (HA) states that the site currently generates a minimum of 4 vehicles movements per day, which usually occur at peak times. However, the proposal for a 4-bedroom dwelling, with occupiers living permanently at the site, along with the movements of visitors and deliveries, would reasonably be expected to result in greater activity and intensity of use, when compared to its existing use as a garage unconnected to any nearby dwelling that may be reliant on the site for parking provision, and currently used for storage purposes.
12. The HA also refers to TRICS data for a dwelling in a highly sustainable location as generating 4-6 vehicle movements per day. I acknowledge that Coedpoeth benefits from a range of facilities, services and public transport, however there is a lack of detail provided to be certain that this constitutes a 'highly sustainable location' for the purposes of TRICS data, or that the quoted figures are representative of the size and type of dwelling proposed. I have also taken account of the lack of recorded accidents in the area. However, it does not follow that the access and road can therefore be considered adequate and safe, given that not all incidents or near-misses may be recorded, or that the proposal would not increase the risk of accidents in the future.
13. When considered in the context of the highway conditions I have described above, and the occurrence of vehicles negotiating the nearby junctions, accesses and waiting traffic, the proposed method of exiting the site would represent a material risk to highway safety, which would be exacerbated by the increased use of an already sub-standard access. I note that there may be other property accesses nearby which rely on a similar method, and that vehicles leaving the police station may also have limited visibility. However, I do not know when these developments were approved, whether the same planning policies were in place at that time, and the reasons for their being considerable acceptable. Similarly, I have not been provided with any information on the justification for the positioning of the nearby street furniture. In any event, I must determine the appeal proposal on its own merits.
14. Although the proposal may be capable of complying with the requirements of the Highway Authority in relation to access width, surface water drainage, surface treatment and the position of any gates, an absence of harm in these matters is a neutral factor which does not weigh either for or against the development. I therefore conclude that the proposal would cause significant harm to highway safety and would not comply with UDP Policies GDP1 and T8.

Other Matters

15. In reaching my decision, I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

Conclusion

16. For the reasons given above, the appeal is dismissed.

Claire MacFarlane

INSPECTOR