

EN-PLAN

PLANNING & ARCHITECTURE

**APPEAL STATEMENT
PREPARED BY
EN-PLAN: PLANNING & ARCHITECTURE
FOR & ON BEHALF OF
BLUE COLUMN PROPERTIES**

**IN RESPONSE TO
REFUSAL OF PLANNING APPLICATION P/2020/0813**

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Introduction

- 1.1 The following Appeal Statement has been prepared in response to Wrexham Council refusing application WRR P/2020/0813 (See Appendices A and B for submitted plans) on 01.03.2021 following the recommendation of the Wrexham Planning Committee to refuse the application (Please see Appendix C for Committee Report and recommendation, and Appendix D for the decision notice) for the following reason:.

The proposed increase from a 6 bed HMO to a 7 Bed HMO will result in an increase in on-street parking demand to the detriment of highway safety, availability of parking in the surrounding area and the free flow of traffic. To allow the proposed development would be contrary to the adopted Wrexham UDP policy GDP1 and Local Planning Guidance note 16.

- 1.2 We believe that the information set out hereunder covers both National and Local Policy requirements, reinforced by information supplied by ourselves and the applicant as to former, current and future uses and plans for the site that mirror the aims and objectives of the Planning Policy covering the site, and demonstrate why the Appeal should be allowed.

The Existing Site & Immediate Surroundings

- 2.1 The site is located off Stansty Road and is adjoined by existing residential uses to the north and is adjoined on both sides by Stansty Road to the west and Railway Road to the east with the junction of these two roads to the south. The site level remains even across the site and this characterises the topography of the locality.

Relevant Planning History in the Locality

- 3.1 An application to change the use of this property from a dwelling to a 6 bed HMO was granted planning permission under P/2009/0763. At that time, a maximum of 4 parking spaces was required to serve the 6 bed HMO and only 1 space was achievable on the site. The shortfall of 3 on-site parking spaces was accepted by the Council, on the basis that the existing use of the property as a minimum 3 or 4 bed dwelling would result in a shortfall of 2 on-site parking spaces. It was accepted at this time that given the sites sustainable location, application of the maximum standards were not considered necessary in that instance.

The existing use

- 4.1 The established use of the building as a 6 bed HMO and has only been vacant during the sales process in 2020.
- 4.2 The existing use is being upgraded by new en-suite bathrooms, and this has been the subject of a building regulations application which has received approval from Wrexham Council Building Control. (Please refer to Appendix E for the application and Appendix F for the decision). This shows the applicants commitment to providing quality accommodation above and beyond what is required for a HMO.

Planning Policy

Planning Policy Wales

5.1 PPW states the following:

A plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.

Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications. It is led by the planning authority, working collaboratively with those proposing developments and other stakeholders including the local community. It must be undertaken in the spirit of partnership and inclusiveness (using the five ways of working) and supports the delivery of key priorities and outcomes (contributing to improving the social, economic,

Managing New Development

Growing our economy in a sustainable manner the planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. Communities, national and local government, businesses, and the third sector must work together to take a long term view, integrating and aligning priorities through greater collaboration to achieve sustainable economic benefits for all in line with the well-being goals. Making best use of resources

The efficient use of resources, including land, underpins sustainable development. The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals. The proximity principle must be applied to ensure problems are solved locally rather than passing them on to other places or future generations. This will ensure the use of land and other resources is sustainable in the long term. Facilitating accessible and healthy environments

Our land use choices and the places we create should be accessible for all and support healthy lives. High quality places are barrier-free and inclusive to all members of society. They ensure everyone can live, work, travel and play in a way that supports good physical and mental health. Our built and natural environments should be planned to promote mental and physical well-being. The best way of achieving this is to involve and collaborate with others to ensure issues are understood and prevented at the earliest opportunity through effective engagement with those affected by or having an interest in the development concerned. Creating & sustaining communities

The planning system must work in an integrated way to maximise its contribution to well-being. It can achieve this by creating well-designed places and cohesive rural and urban communities which can be sustained by ensuring the appropriate balance of uses and density, making places where people want to be and interact with others. Our communities need the right mix of good quality/well designed homes, jobs, services, infrastructure and facilities so that people feel content with their everyday lives. Maximising environmental protection and limiting environmental impact

Natural, historic and cultural assets must be protected, promoted, conserved and enhanced. Negative environmental impacts should be avoided in the wider public interest. This means acting in the long term to respect environmental limits and operating in an integrated way so that resources and/ or assets are not irreversibly damaged or depleted. The polluter pays principle applies where pollution cannot be prevented and applying the precautionary principle ensures cost effective measures to prevent environmental damage.

Future Wales

- 5.2 Policy 20 – National Growth Area – Wrexham and Deeside Wrexham and Deeside will be the main focus for growth and investment in the North region. Strategic and Local Development Plans across the region must recognise the National Growth Area as the focus for strategic economic and housing growth; essential services and facilities; advanced manufacturing and transport infrastructure. The Welsh Government will work with regional bodies and local authorities in the region and in neighbouring regions of England to promote and enhance Wrexham and Deeside's strategic role and ensure key investment decisions support places in the National Growth Area and the wider region.

WREXHAM UNITARY PLAN

- 5.3 Policy GDP1: All new development should:-

a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality. **b)** Take account of personal and community safety and security in the design and layout of development and public / private spaces. **c)** Make the best use of design techniques, siting and orientation in order to conserve energy and water resources. **d)** Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality. **e)** Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible. **f)** Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.

- 5.4 Policy H4 The sub-division of existing dwellings will only be permitted where:

- i) sub-division is possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling;
- ii) and proposals accord with Policy GDP1;
- iii) and adequate private open space is available,
- iv) The proposal would not result in the over-concentration of Houses in Multiple Occupation to the detriment of crime levels, the social fabric of the area, and the amenity of existing residents.

5.5 Policy T8 Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to the following factors, as appropriate:

- i) the availability of public transport nearby,
- ii) proximity to public car parking,
- iii) proximity to local services and facilities,
- iv) Road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

Where implementation difficulties arise in making parking provision on-site or nearby, the Council will require a developer to make financial contributions for measures to assist public transport, or walking and cycling as appropriate.

Grounds for Appeal

Point 1: The Parking Issue

- 6.3 The application is to change the use of the property from a 6 bed HMO to a 7 bed HMO. Even if 8 bedrooms were being proposed, the proposal would still only require an additional 1 parking space as stated by the case officer. The applicants provided a revised site plan showing a parking space provided in the grounds of the property and the application was recommended for approval.
- 6.4 "The site is located within Wrexham Settlement Limit and is approximately 400m away from the Plas Coch Retail Park. Bus stops are located within the vicinity of the site, as is the train station, which is located approximately half a mile south. The site has been considered by the Council "to be in a highly sustainable location", preventing the need for occupants having to rely on the use of a private vehicle to gain access to key services and facilities. Furthermore, Railway Road runs to the east of the site. It is unclassified and considered to be a fairly quiet, residential road in nature, primarily providing access to a fairly limited amount of dwellings, east and north of the site." (Committee Report)
- 6.5 *"Dwellings to the east of the site within Brunswick Court appear to be served by parking courts to the rear. During the officer site visit, there did not appear to be a significant demand for car parking along this road. An additional parked car along this section of road is not therefore considered would result in such a significant increase in parked vehicles along Railway Road, to the extent that highway safety and the free flow of traffic would be materially*

Compromised or harmed. Whilst the Highway Authority has not commented on the application to date, I consider that the shortfall of on-site parking spaces would be acceptable and the proposal would comply with UDP Policy T8.” (Committee Report)

Point 2: The previous acceptance of the HMO use

- 6.6 The planning history has already accepted the provision of a six bed HMO in the locality and the addition of one bedroom, improved internal accommodation, and an additional parking space will not alter the situation in the locality to any degree that would warrant a refusal. The Planning Department of Wrexham Council has stood wholeheartedly behind the application and the decision to refuse is a political one, and not made with any sound planning judgement.

Point 3: Zero impact on residential or visual amenity

- 6.7 There will be no impact on visual amenity as all alterations are internal and no additional built form will be added as a result.
- 6.8 There will be no impact on residential amenity as the addition of one bedroom will not alter the character of the area or affect levels of privacy and outlook, and as stated by the Case Officer the area does not suffer from a ,lack of parking.

Point 4: Lack of new housing in Wrexham

- 6.9 The following quote sums up the existing situation in Wrexham where the adopted development plan has lapsed and the emerging plans has been returned with issues identified. This has left Wrexham with a lack of affordable housing and on ongoing situation where it is unable to meet a housing supply targets (as stated in MRH06 Housing Monitoring Statement April 2019 – Refer to Appendix G).

*In the absence of an up-to-date Unitary Development Plan (UDP) and adopted Local Development Plan (LDP), in accordance with latest Welsh Government Guidance on [Joint Housing Land Availability Studies \(JHLAS\)](#), [TAN1, January 2015](#), there is no requirement for a Local Authority to produce a JHLAS and the authority is considered to have a **zero land supply**.
(Source: **Housing Monitoring Land Statement April 2019**)*

The two following articles demonstrate the situation in Wrexham which shows a lack of clarity in the planning process coupled with a resistance to allow the level of new housing required to meet local need.

<http://www.wrexham.com/news/local-development-plan-future-in-doubt-as-political-support-pulled-as-inspector-writes-of-very-serious-reservations-196323.html>

<https://www.bbc.co.uk/news/uk-wales-51361879>

Sustainability Appraisal

- 7.1 **an economic objective**– to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

The proposal ensure the delivery of commercial growth in Wrexham both in the supply chain for materials and in the labour market by the work required for the proposed upgrade. The proposal also accords with the sentiment of “Planning Policy Wales” and “Future Wales” in this respect.

- 7.2 **a social objective**– to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being.

In this respect the proposal has a high positive impact upon social welfare by delivering the housing Wrexham Council are unable to deliver (in terms of meeting their five year housing land supply figure), and assists in the provision of affordable housing.

- 7.3 **an environmental objective**– to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The continued use of an expanded HMO in a sustainable location will reduce the need for car journeys and will encourage more sustainable modes of transport.

Conclusions

- 8.1 The suitability of the proposal is reflected in the recommendation for approval from the Planning Officer. The precedent for accepting reduced parking levels at the property has been accepted under planning application and its use as a reason for refusal goes against this precedent, and ignores the sustainable nature of the development.
- 8.2 Planning consent will allow for increased affordable accommodation in a sustainable location with a positive impact on social welfare and the local economy, in line with National and Local Planning Policy. The Inspector is therefore respectfully asked to allow the Appeal.

LIST OF APPENDICES

APPENDIX A – ORIGINAL PLANS

APPENDIX B – AMENDED SITE PLAN SHOWING ADDITIONAL PARKING SPACE SUBMITTED TO THE COUNCIL

APPENDIX C – COMMITTEE REPORT AND RECOMMENDATION

APPENDIX D – DECISION NOTICE

APPENDIX E – BUILDING REGULATIONS APPLICATION

APPENDIX F – BUILDING REGULATIONS APPROVAL

APPENDIX G – HOUSING LAND MONITORING STATEMENT APRIL 2019