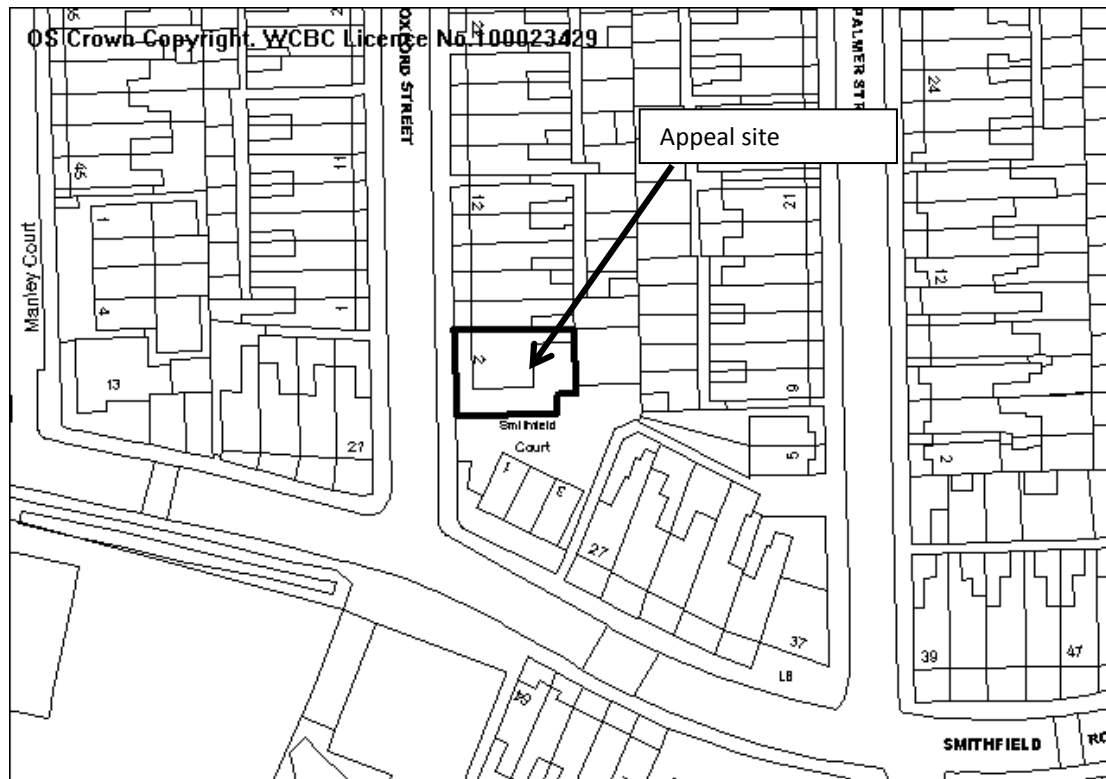


**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT
2 OXFORD STREET WREXHAM**

COUNCIL'S STATEMENT OF CASE

**PLANNING REF: P/2019/0953
PINS REF: 3256248**

1.0 THE SITE



2.0 SITE HISTORY

- 2.1 P/2019/0795 CHANGE OF USE OF EXISTING 3 BED DWELLING INTO 5 BED (SINGLE OCCUPANCY) HOUSE IN MULTIPLE OCCUPATION (HMO). Refused 2.12.2019

3.0 PROPOSAL

- 3.1 Planning permission is sought for the change of use of the dwelling from a C3 use to a 5 bed single occupancy house in multiple occupation within use class C4 along with the formation of a new access and provision of one off-street parking space.

4.0 LOCAL PLANNING POLICY

- 3.1 Wrexham Unitary Development Plan is the adopted development plan for the area.
- 3.2 The site is located inside the Wrexham town settlement limit. Policies PS2, GDP1, H4 and T8 of the Wrexham Unitary Development Plan are applicable.

- 3.3 Relevant guidance is also contained in Local Planning Guidance Note 5 – Houses in Multiple Occupation and 16 – Parking Standards.

4.0 THE COUNCIL'S CASE

- 4.1 Planning permission was first refused to convert the property to a 5 bedroom single occupancy HMO in December 2019 due to concerns about a potential increase in parking demand (reference P/2019/0795). The previous proposals did not include any provision for on-street parking.
- 4.2 The appeal proposals differ from the earlier proposals by proposing the provision of a new vehicular access and a driveway for 1 vehicle to park.
- 4.3 LPGN 16 advises that the maximum parking spaces required for a HMO with 5 bedrooms is 4 spaces. This contrasts to the existing use of the property, which the existing plans for the property indicate is as a 3 bedroom dwelling, which would require a maximum of 3 parking spaces in accordance with LPGN16. The proposed development therefore has the potential to increase parking demand by 1 space.
- 4.4 Whilst the appeal proposals would enable 1 vehicle to park within the curtilage of the property, the owners/occupiers of the property would inevitably expect the access to be kept clear. In other words, the provision of the new access would prevent a vehicle parking directly in front of the property and in turn reducing the number of vehicles that can park on Oxford Street. The proposed on-site parking provisions does therefore not mitigate for increase in demand for parking spaces that is likely to arise as a result of the change of use from a dwelling to a HMO.
- 4.5 The properties in Oxford Street and adjoining streets do not benefit from off-street parking. Residents are therefore entirely reliant on on-street parking, resulting in Oxford Road being heavily congested with parked cars. The increase in demand for parking arising from the development will exacerbate this issue, thus being in conflict with policy T8 of the Wrexham Unitary Development Plan and guidance in LPGN16.

5.0 CONCLUSION

- 5.1 The development will result in an unacceptable increase in on-street parking demand in the area which will exacerbate existing parking congestion along Oxford Road and is therefore contrary to policy T8 of the Wrexham UDP and guidance in LPGN16. The Inspector is therefore respectfully requested to dismiss the appeal.

SCHEDULE OF CONDITIONS IN THE EVENT OF THE APPEAL BEING ALLOW

CONDITIONS

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered OS/PD/02, OS/PS/03 and OS/PD/04 Revision B and as contained within the application documentation.
3. No part of the development shall commence until a scheme for the relocation an 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.
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.
5. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

REASONS

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. 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.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.