



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/01/20

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

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 24.02.2020

Appeal Decision

Site visit made on 20/01/20

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

an Inspector appointed by the Welsh Ministers

Date: 24.02.2020

Appeal Ref: APP/H6955/A/19/3241082

Site address: 4 Bridgeway West, Pentre Maelor, Wrexham LL13 9PT

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 Andrew Shield against the decision of Wrexham County Borough Council.
- The application Ref ABE P/2019/0398, dated 24 May 2019, was refused by notice dated 2 December 2019.
- The development proposed is building of small single-storey extension to rear of the property and change of use from residential to house of multiple occupancy.

Decision

1. The appeal is allowed and planning permission is granted for building of small single-storey extension to rear of the property and change of use from residential to house of multiple occupancy at 4 Bridgeway West, Pentre Maelor, Wrexham LL13 9PT in accordance with the terms of the application, Ref ABE P/2019/0398, dated 24 May 2019, subject to the following conditions:
 - 1) The development shall begin not later than five years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 - 2) The development shall be carried out in accordance with the following approved plans and documents: BW/PD/02 Floor Plans as Proposed, BW/PD/04 Proposed Elevations, BW/PD/05 Block Plan.
Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.
 - 3) Prior to the first occupation of the development, the vehicular parking areas as shown on drawing BW/PD/05 Block Plan shall be fully laid out, surfaced and drained. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
Reason: In the interests of highway safety (UDP Policy T8).
 - 4) Prior to the first occupation of the development, details of a scheme for the disposal of surface water drainage shall be submitted to and approved in writing

by the Local Planning Authority, and implemented in accordance with the approved details. The scheme shall be retained in perpetuity.

Reason: In the interests of highways safety (UDP Policy GDP1).

- 5) Prior to the first occupation of the development, the bin storage as shown on drawing BW/PD/05 Block Plan shall be provided. The bin storage shall be retained in perpetuity.

Reason: In the interests of the amenity of the occupiers of the property and nearby residential amenity (UDP Policy GDP1).

Procedural Matter

2. Following the submission of the appeal on the basis of the Council's failure to determine the application, a decision notice was issued within the period of dual jurisdiction. I have therefore considered the appeal as one against the refusal of planning permission.

Main Issue

3. The main issue is the effect of the proposal on highway safety and residential amenity, with regard to parking.

Reasons

4. The appeal site is a three-storey, 4-bedroom dwelling within a row of properties of similar appearance. The dwellings are set back from the highway, with open plan grassed areas to the front. Although a small number of properties have created off-street parking spaces within the front garden area, the majority of parking occurs on-street, including within a lay-by on the opposite side of the highway. Bridgeway West is not subject to any formal parking restrictions.
5. There is no parking provision within the appeal site at present and the proposal would create 4 parking spaces within the front garden area. In accordance with the Council's adopted Local Planning Guidance Note No. 16 'Parking Standards' (LPGN16), the maximum parking provision for the proposed 7-bedroom House in Multiple Occupation (HMO) would be 5 spaces. This would result in one vehicle being reliant on on-street parking within the area. When compared with the maximum parking provision of 3 spaces for the existing use of the property as a 4-bedroom dwelling which is sought by LPGN16, all of which are met through on-street parking, this would indicate a reduction in demand for on-street parking.
6. With regard to the surveys carried out by the Council and appellant, and the Census information provided by the appellant, this points to a generally low level of car ownership associated with HMOs. However, due to the site's location some distance from Wrexham town centre, and the limited access to facilities and services in the immediate area, there would potentially be a greater reliance on car ownership than the survey results suggest. Even in the event of all 7 occupiers of the property requiring a parking space, LPGN16 is clear that the standards represent a maximum requirement and, in the absence of any substantive evidence, a higher requirement is not justified in this instance. Furthermore, in such a scenario, the resulting demand for 3 off-street spaces that cannot be provided would be the same as that of the existing use of the property as a dwelling and would not lead to a worsening of the current situation.
7. I note the comments received from local residents that indicate Bridgeway West experiences a high level of on-street parking demand but given the proposed on-site

provision, the scheme would not be likely to exacerbate the situation. Thus, I conclude that the proposal would not cause harm to highway safety or increase the inconvenience caused to local residents wishing to park close to their homes. Due to the road alignment and its use primarily to access properties along Bridgeway West, vehicles speeds would be low and any increase in the number of movements would also not cause significant harm to highway safety.

8. The proposal therefore complies with Policies GDP1 and T8 of the Wrexham Unitary Development Plan 1996-2011, which, amongst other things, seek to ensure development proposals have safe and convenient vehicle access and do not adversely affect road safety.

Other Matters

9. A petition has been submitted by local residents, on the basis that the proposal would set a precedent, 'disrespects the heritage of the estate' and would alter the character of the surrounding area. However, each application and appeal must be determined on its individual merits in the light of the adopted development plan. With the exception of the small rear extension, no external alterations are proposed to the property. The surrounding area is residential in nature and the scale of the proposal would not conflict with, or result in a material alteration to, its character in this respect. The proposal would therefore not be detrimental to the heritage or character of the area.
10. The proposal makes sufficient provision for outdoor space and a condition is imposed in relation to bin storage, in line with the requirements of LPGN5 'Houses in Multiple Occupation'. Issues regarding noise from occupants are outside the control of the planning system and can be addressed through other regimes. Due to the height and depth of the proposed extension, and the lack of windows in its northern elevation, there would be no significant harm to the living conditions of the neighbouring occupiers, with regard to light and privacy. Comments have been made regarding alleged breaches of planning permission. However, such matters are outside of my jurisdiction in determining this appeal and have not influenced my decision. Concerns have also been raised regarding drainage and I have imposed a condition to address the disposal of surface water.
11. 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

12. For the reasons given above, the appeal is allowed.

Claire MacFarlane

INSPECTOR