

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – 7th OCTOBER 2019

APPLICATION NO:
P/2019 /0509

LOCATION:
1 LARCHWOOD ROAD WREXHAM
LL12 7SG

DATE RECEIVED:
09/07/2019

COMMUNITY:
Acton

DESCRIPTION:
USE OF PART OF DWELLING FOR
ACADEMIC HOME TUITION
(MONDAY TO FRIDAY 16.00 - 20.00
HRS, SATURDAY 09.00 - 17.00 HRS)
IN RETROSPECT

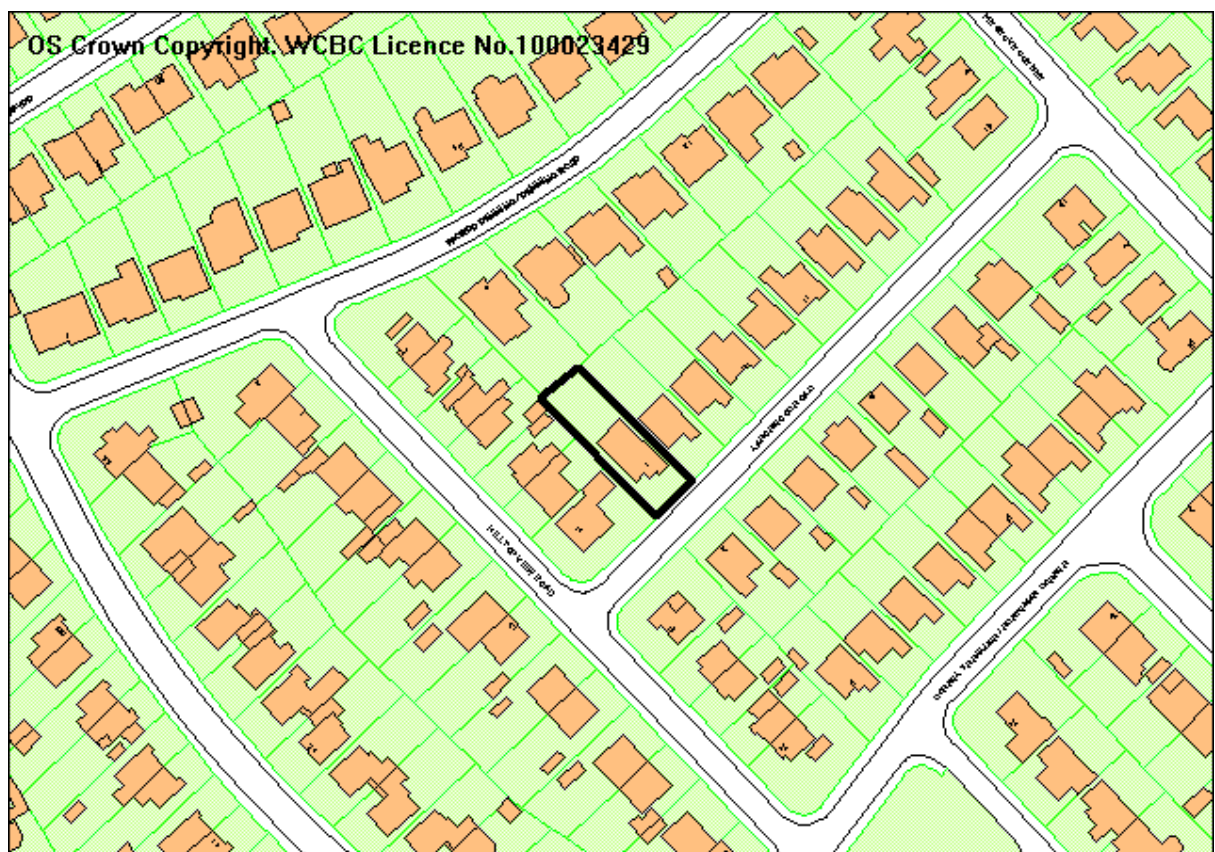
CASE OFFICER:
PF

WARD:
Borras Park

AGENT NAME:
MRS TRACEY MORGAN

APPLICANT(S) NAME:
MRS TRACEY MORGAN

THE SITE



PROPOSAL

Planning permission is sought for the partial change of use of the dwelling to result in a mixed use of a dwelling and place for the academic home tuition. The applicant wishes to operate the home tuition service between the

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following hours: Monday to Friday 16.00 - 20.00 hrs and Saturday 09.00 - 17.00 hrs.

The application is being made in retrospect.

HISTORY

P/2011/0515 Loft conversion and extension to rear.
Granted 17.08.2011.

PLANNING POLICY

The site is located inside the Wrexham Town settlement limit. Policies PS2, GDP1 and T8 are relevant. Guidance is contained in Local Planning Guidance Note 16 – Parking Standards.

CONSULTATIONS

Community Council:	No objections to make provided the granting of any consent is personal to the Applicants and on an appointment only basis to ensure only one student is on the property at any one time and to ensure there is adequate parking provision on the frontage of the property.
Local Member:	Notified 5.07.2019
Site notice:	Expired 13.08.2019
Highways:	No objections were the business to run on a appointment only basis and limited to one student.
Public Protection:	No comments.
Neighbouring occupiers:	9 neighbouring occupiers notified. 3 responses received raising the following comments: • The business has operated without consent for 4 years; • Weekend tuition should not be allowed in any circumstances; • Regular disturbance occurs by the coming and going of cars some of which park irresponsibly and slam doors. It is not uncommon to see two unoccupied cars in the road; • Larchwood Road is too narrow to cater for the extra parked cars; • There is already a driving school business being operated from Larchwood Road;

- More than one student is being catered for at any one time;
- There is no doorbell or knocker on the door. People could enter the property unchallenged which is a security risk;
- Conditions should be considered restricting the use to term time only and staggering the student visits;
- Cars have been left with engines running and unattended previously;
- Driving schools use the road to do hill start practice; and
- The business will have a negative impact upon the value of neighbouring properties.

SPECIAL CONSIDERATIONS

Background: The application was submitted after a complaint had been received in June 2019 about the operation of the business without the benefit of planning permission.

Residential Amenity: The applicant confirms that the tuition business is operated by the two residents of the property - the applicant herself for all business hours stated and her husband for limited hours. The applicant confirms that tuition lasts for 1 hour per pupil, and pupils are dropped off and picked up by their parents.

Private academic tuition, by its very nature, would result in little noise, nuisance and disturbance.

Impacts on residential amenities of neighbouring properties would be limited to the associated vehicular movements to and from the property.

On this basis, impacts would be related to the opening and closing of vehicle doors, approximately each hour, over the course of four hours in the week and throughout Saturday. The site is located in a relatively dense residential housing estate. There are regular vehicle movements in the nearby vicinity. The closing of car doors on an hourly rotation is unlikely to cause unnecessary disturbance in this setting.

Having regard to the above, the application is not considered to adversely impact on existing levels of residential amenity for the neighbouring occupiers.

Access and Car Parking: On the basis of the applicants' submitted information, the nature of the vehicular movements to and from the site involves dropping off and collecting students either on the public highway or using a vacant parking space within the site.

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Representations have raised concerns regarding indiscriminate parking on the public highway and these matters.

I have no doubt that visiting parents do park on the highway in preference to any off street parking space, but I am not convinced that the frequency of visits will lead to instances of highway congestion and danger. Observations of indiscriminate parking are noted, but again, such behaviour could be attributed to any visitor to any property in the street and I am unconvinced that this would occur with every single visitor to the property. Given the limited time when tuition would take place and the comparatively modest increase in vehicular movements, this is considered unlikely to result in a significant degree of noise, disturbance or inconvenience to the neighbouring occupiers.

Whilst concerns raised by neighbours relating to congestion and obstruction on the shared driveway/visitor parking spaces are noted, this land is outside the control of the Local Authority, therefore issues relating to use of the shared, private driveway/visitor parking spaces are a civil matter between the occupants of the properties served by the driveway and the applicants.

From a highway safety perspective, the proposal would result in vehicular movements in the form of drop offs and pick-ups over the course of four hours each evening, Monday – Friday and between most of the day on Saturday.

This level of vehicular movements is not considered to represent a significant increase in movements on Larchwood Road.

Furthermore, vehicular movements would be hourly in connection with the length of time of tuition, as opposed to being throughout the duration of the tuition business hours.

Given the limited operational hours of the proposal as well as the generally limited timeframe associated with pick-ups and drop offs, the proposal is not considered to result in such adverse impacts to highway safety, as to warrant refusal of the scheme on this basis.

As the applicant has specifically stated them, conditions to limit operational hours seem reasonable. A further condition restricting the number of students being taught on site at any one time to 2 also is considered reasonable to prevent a class style scenario occurring.

CONCLUSION

The proposal is not considered would result in adverse impacts to residential amenities or highway safety to such an extent, as to warrant refusal of the application. The proposal would comply with UDP policies GDP1 and T8.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The approved plans are those dated 09 July 2019 and the documentation contained within the planning application.
2. This permission shall not be for the benefit of the land but shall operate for the benefit of Mrs Tracey Morgan and immediately on the discontinuance of her use of that land, the use shall cease and be permanently abandoned. The land shall be restored to its previous condition not later than one month after that date.
3. No use of the development shall be made before 16:00 or after 20:00 hours Monday to Friday, before 09.00 or after 17.00 hours on Saturdays and at no time on Sundays.
4. No more than two students shall be tutored at any one time.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 2. In the interest of safeguarding existing residential amenities of neighbouring occupiers
 3. To ensure that the proposed tuition is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 4. To safeguard existing levels of residential amenities of neighbouring occupiers and to control the scale of the development.
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