
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 30/10/19

gan **A L McCooey BA MSc MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 26.11.2019

Appeal Decision

Site visit made on 30/10/19

by **A L McCooey BA MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 26.11.2019

Appeal Ref: APP/H6955/A/19/3235705

Site address: 27 Poplar Road, Wrexham, LL13 7DG

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 failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Arran Pritchard against Wrexham County Borough Council.
 - The application Ref P/2019/0030, is dated 17 January 2019.
 - The development proposed is for a change of use from Use Class C4 (6-bedroom house in multiple occupation [HMO]) to 7-bedroom HMO – single occupancy.
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Decision

1. The appeal is dismissed and planning permission for a change of use from Use Class C4 (6-bedroom HMO) to 7-bedroom HMO – single occupancy is refused.

Main Issues and Background

2. A purported decision notice dated 22 May 2019 is included in the papers submitted by the Local Planning Authority. A note indicates that it was not issued. However, the Council did issue a decision during the dual jurisdiction period, which is dated 23 August 2019. An earlier application for a change of use to an 8-bed HMO was the subject of an appeal that was dismissed in January 2019¹. The current appeal proposal is similar. I therefore consider that the main issue in this case is again the effect of the proposed development on the safe and efficient operation of the highway network in the surrounding area with particular regard to parking and turning provision.

Reasons

3. The site is in a mixed-use area close to Wrexham town centre. It is in a busy location at the junction of 5 roads and opposite a school. The submitted floor plans indicate that the building is in use as a 6-bed HMO, with two on each floor. The proposal is to accommodate another bedroom by converting a first-floor storage room.

¹ APP/H6955/A/18/3212072

4. There is a wide access to the north of the site frontage. The front garden is enclosed by a stone wall with trees to the rear. At the time of my visit there were two vehicles parked on the site. No spaces are marked out and it would be difficult to accommodate any further vehicles without blocking in the vehicles already parked. The Council's Local Planning Guidance Note (LPGN) No 5 *Houses in Multiple Occupation*, advises that vehicles should be able to enter or leave each parking space even if other parking spaces are occupied. The relevant parking standards in LPGN16² for HMOs are: four spaces for the first six bedrooms and one car space per two bedrooms thereafter. The proposed development should therefore provide five car parking spaces within the appeal property to meet the standards.
5. I consider that this is an area of high parking demand and the evidence of local residents supports this view. The proposal would introduce another independent occupant into the premises, who could have an additional vehicle. I agree with the previous appeal decision that this proposal would lead to a potential demand for additional parking. If one considers the need to avoid blocking in and to allow vehicles to enter and leave in a forward gear: the required number of spaces cannot be accommodated on site. This would be contrary to Policy T8 of the Wrexham Unitary Development Plan (UDP).
6. As the parking area is constrained, it is likely that vehicles would have to reverse out of the site onto the footway and road. This would result in danger to pedestrians and other road users at this complex junction close to a school and shop. The proposal would add to that potentially hazardous situation. I conclude that the proposed development would not ensure safe and convenient vehicular access to and from the site, contrary to UDP Policy GDP1 d).
7. The appellant's surveys of car ownership in 23 HMOs provide an indication of the situation at the two survey dates in 2015 and 2016. This is subject to change as tenants come and go. I note that the two surveys show that the tenants at the appeal property had 3 or 4 cars at the time of survey. I have considered the other appeal decision referred to by the appellant relating to the change of use. The circumstances of that case were different to this appeal in that it involved a change of use of a large family dwelling to a 5-bed HMO. The Inspector in that case decided that additional parking would not be required based on the circumstances of the case and the evidence presented. I have also considered the objections of local residents. The objections to the HMO use are not relevant to this appeal, which relates to an existing use. The standard of the accommodation provided is a matter to be considered under other legislation.

Conclusion

8. Having considered all relevant matters, I conclude that the appeal should be dismissed for the reasons given above. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' revised well-being objectives to build healthier, more resilient communities and environments.

A L McCooey

Inspector

² The quoted parking standard is that for an HMO of seven bedrooms or more. The parking standards take lower levels of car ownership in HMOs into account.