
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 10/12/18

gan Siân Worden BA MCD DipLH
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 03/ 01/ 2019

Appeal Decision

Site visit made on 10/12/18

by Siân Worden BA MCD DipLH MRTPI

an Inspector appointed by the Welsh Ministers

Date: 03/ 01/ 2019

Appeal Ref: APP/H6955/A/18/3212072

Site address: Kingston Villa, 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 outline planning permission.
 - The appeal is made by Arran Pritchard against the decision of Wrexham County Borough Council.
 - The application Ref WRO P/2018/0486 was dated 10 June 2018.
 - The development proposed is the conversion of Use Class C4 (6 bed house in multiple occupation) to 8 no. bed house in multiple occupation (HMO), single occupancy.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. After the appeal against the Council's failure to determine the application was made, the Council issued its decision on 4 October 2018 within the dual jurisdiction period. In that light I consider that the main issue in this case is the effect of the proposed development on the safe and efficient operation of the highway network in the surrounding area with regard particularly to parking and turning provision.

Reasons

3. The appeal property is in a mixed use, densely developed part of the town and in a prominent position at the junction of five roads. It is a large dwelling currently being used as a six bedroomed house in multiple occupation (HMO); the proposal is to convert the garage and storage areas to create two additional habitable rooms on the ground and first floors.
 4. The garden area and driveway between the front of the dwelling and the footway is wide but shallow with a single access point. In addition, there are several mature trees which stand on a small bank contained by a low wall. All in all, this area is quite constrained. There are no parking spaces marked out and it is not clear how many cars can reasonably be parked there at the moment, taking into account that vehicles
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should be able to enter or leave each parking space even if other parking spaces are occupied¹. It is possible that three or even four parked cars would fit within the space without blocking each other in. They could not, however, turn and leave the parking area in a forward gear.

5. The Council's parking standards (LPGN16)² for HMOs are, for seven bedrooms or more as this would be, four spaces for the first six bedrooms and one car space per two bedrooms thereafter. The proposed development therefore results in the need for five car parking spaces at the appeal property. LPGN16 states, however, that the car parking standards are maximums and, in accordance with national policy, there are no minimum parking requirements. Where the amount of parking provided is below the maximum it should be appropriate for the likely level of demand. This is reinforced in the paragraph on extensions to existing buildings which, to my mind, the proposal here most closely resembles. It requires that additional parking spaces should be provided where, as a result of additional floor space, there is likely to be an increased demand for parking.
6. The two new rooms proposed would result in two additional adults living at the property. Unlike a single household dwelling where family cars may be shared, by teenage children for example, the future occupiers would in all likelihood not be related and would live independently from one another. Although the appeal property is within walking distance of the town centre, and the railway station and bus services, I consider it likely that the two extra bedrooms would generate a need for at least one additional car parking space. I do not agree that the proposed development would result in no greater need for parking than its original use as a Class C3 dwelling.
7. The appeal property is in a busy area where there are widespread parking restrictions and many of the dwellings do not have off-street parking. There thus appears to be a high demand for on-street spaces. The proposed development would result in a small increase in the number of vehicles requiring parking spaces in the vicinity. Even so, it would increase the hazard on the local road network, and reduce its efficient use, by resulting in more drivers searching for a parking space.
8. The proposed development would not provide vehicle parking spaces in accordance with the Council's current parking standards and would be contrary to Policy T8 of the Wrexham Unitary Development Plan (UDP), adopted 2005.
9. I have explained above that it would not be possible for cars to leave the parking area at No. 27 in a forward direction and also that the property is on a complex junction in a busy area. Those parking at the existing HMO are likely to have to reverse out at the moment. Nonetheless, if the proposal necessitated additional such manoeuvres these would be harmful to the safety of pedestrians and other road users. Overall, the proposed development would not ensure safe and convenient vehicular access to and from the site, contrary to UDP Policy GDP1 d).

Other matters

10. The property is within the Salisbury Park Conservation Area. I have no evidence that the proposed development would fail to preserve or enhance the character or appearance of the conservation area and have had regard to the statutory duty in reaching my decision.

¹ Local Planning Guidance Note No 5 *Houses in Multiple Occupation*, adopted May 2018

² Local Planning Guidance Note No.16 *Parking Standards*, adopted July 2018 (LPGN16)

11. The property could be converted back to a five bedroomed C3 dwelling, which would require no more than four parking spaces, without planning permission. As that would be a different use from that proposed here, however, it does not provide a realistic fall-back position.

Conclusion

12. The proposed development would not make sufficient provision for parking or for a turning area. It would thus be detrimental to safety and the efficient use of the highway in the immediate area. I have taken all the matters raised into consideration but not found any which would outweigh the harm caused.
13. 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' well-being objective of supporting safe, cohesive and resilient communities.
14. For the reasons given above I conclude that the appeal should be dismissed.

Síân Worden

Inspector