
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 12/12/17

**gan Clive Sproule BSc MSc MRTPI
MIEnvSci CEnv**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 24/01/18

Appeal Decision

Site visit made on 12/12/17

**by Clive Sproule BSc MSc MRTPI
MIEnvSci CEnv**

an Inspector appointed by the Welsh Ministers

Date: 24/01/18

Appeal Ref: APP/H6955/A/17/3187089

Site address: 6 Albany Terrace, Wrexham LL11 2NH

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 Alan Taylor against the decision of Wrexham County Borough Council.
 - The application Ref WRR P/2017/0505, dated 21/06/17, was refused by notice dated 16/08/17.
 - The development proposed is extensions and internal alterations to an existing 4 bedroom HMO to provide a total of 6 bedrooms.
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Decision

1. For the reasons that follow, the appeal is dismissed.

Main Issue

2. With reference to the Council's reason for refusal and the evidence in this case, the main issue is considered to be the effect of the development proposed on the living conditions of residents at and around the appeal site in relation to parking activity.

Reasons

3. No.6 is an end of terrace house in a row of six dwellings. These dwellings are located on land that sits behind four street frontages. This area of land also provides rear gardens, garages and off-street parking for the mostly terraced dwellings and businesses that form the street frontages around it. This historic layout causes on-street parking to be physically and visually separated from Albany Terrace. Sections of the local highway network are subject to parking controls and there are a considerable number of dwellings with no obvious off-street parking.
 4. Access to the land that includes Albany Terrace can be taken from Rhosddu Road to the south west and Price's Lane to the north east. These two access points are linked by a private lane that is not an adopted highway. From the Rhosddu Road access there are two narrow 90 degree corners to navigate to reach the rear of the buildings on the southern side of Walnut Street. The private lane continues along the rear of the Walnut Street frontage to the Price's Lane access. In contrast to the access from Rhosddu Road, vehicular access from Price's Lane is much more straightforward.
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5. A spur from the private lane runs southward, between areas of amenity space, to the no.6 end of Albany Terrace. The spur is wide enough for two vehicles to pass and provides direct access to the amenity space next to the gable wall of no.6 and the parking opportunities that this amenity space provides. From this spur, a path provides pedestrian access across the front of Albany terrace and there are areas of front amenity space on either side of the pedestrian path. The pedestrian path then links to the Rhosddu Road access.
6. No.6 is a house in multiple occupation ('HMO') and it is proposed to provide additional bedrooms through a two-storey side extension and a first floor rear extension. The side extension would occupy amenity space next to the gable of no.6 that the Council's Service Manager Environment noted to currently enable the parking of up to three vehicles.
7. Policy GDP1 d) of the *Wrexham Unitary Development Plan 1996-2011* – adopted February 2005 ('UDP') confirms that all new development should ensure safe and convenient pedestrian and vehicular access to and from the development site and in the nearby locality. UDP Policy T8 requires development to provide vehicle parking spaces either on-site or nearby in accordance with the Council's parking standards. Parking standards are the subject of the Council's Local Planning Guidance Note No.16 ('LPGN16'). These standards seek a maximum of 3 parking spaces for an HMO with the proposed number of bedspaces.
8. The UDP is now beyond the period for which it planned. This could reduce the weight attributed to policies that look to an out-of-date evidence base, or that are no longer consistent with *Planning Policy Wales – 9th edition* ('PPW'). PPW is clear that: planning proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest; and, that the objectives of good design include ensuring ease of access for all. In relation to the matters that are germane to this appeal, it is evident that UDP Policies GDP1 d) and T8 are consistent with PPW and attract full weight in this case.
9. An application drawing shows a parking space immediately in front of the proposed extension and partly within the spur. Two further parking spaces would be located within the amenity space that is to the front of no.6 and across the pedestrian path from the HMO. As such, it is clear that the appeal scheme would provide vehicle parking spaces that comply with the maximum number set out in LPGN16.
10. However, the Council's Service Manager Environment has highlighted that the vehicle parking spaces proposed for the front amenity space would be less than 6m deep, which would provide insufficient depth for vehicles to manoeuvre. The appellant has stated the parking area to be 10.850m by 10.850m, but no plan has been provided to confirm the location of these measurements or what is included within the area delineated by them.
11. In any event, during the site visit two cars were parked along one side of the spur that approximately halved the available width of the spur for vehicle movements into or out of the proposed parking in the front amenity space. It is also likely that such parking activity on the spur would cause a car parked in front of the proposed side extension to be very close to, or obstructing, the pedestrian access from the spur to the front of Albany Terrace. Even if the parked vehicles on the spur were associated with occupiers of no.6, rather than other local residents, there is no parking restriction along the spur and other residents might seek to park in the available space along it.

12. Accordingly, it is not apparent that the proposed parking in the front amenity space could always be used for the parking of cars, which could displace parking activity into other parts of the private lane, or to locations beyond it. Nor is it clear that the proposed parking in front of the side extension would be likely to keep available convenient pedestrian access from the spur to the front of Albany Terrace.
13. Albany Terrace is noted to be approximately 800m from the centre of Wrexham. As such, many of the shops and services within Wrexham would be within walking distance and could be accessed by alternatives to the private car. Also, the appellant notes that: occupiers of no.6 are mostly professional people; none of the current residents are car owners; and, there is a small public car park around 100m from the appeal site. However, future occupiers of the HMO could be car owners or have a work vehicle to park, and this would be likely if the occupiers of no.6 are mainly professional people. In addition, they may not wish to leave that vehicle in a location that is physically remote and not visible from their dwelling.
14. The proposed increased occupancy at no.6, along with the potential for these occupiers to keep vehicles, needs to be considered within the context of the existing parking activity on the spur to Albany Terrace and the access required along and from the private lane. Given the somewhat unusual and very specific circumstances of Albany Terrace, it is likely that the proposed development would prevent the convenient use of the proposed parking in the front amenity space, and it may prevent the convenient use of pedestrian access in the vicinity of no.6. The appeal scheme would also be likely to result in increased parking pressures at and immediately around Albany Terrace.
15. The appeal proposal would provide parking in accordance with the maximum number of spaces in the Council's parking standards and to which UDP Policy T8 refers. However due to the specific circumstances of Albany Terrace and the appeal site, the manner in which the spaces would be provided would not be good design that ensures ease of access for all. As such, the appeal scheme would be likely to be unacceptably harmful to the living conditions of residents at and around the appeal site, which conflicts with UDP Policy GDP1 d) and the relevant parts of PPW.

Other matters

16. The proposal would result in social benefit through the provision of homes for people within a particular sector of the housing market. They would be in a location that would provide straightforward access to the jobs, services and transport opportunities within the centre of Wrexham. Occupants of the rooms would contribute to the local economy and it has not been shown that the development would have anything other than a neutral impact on local culture. However, the proposal would fail to promote sustainability through good design.

Conclusion

17. All representations in this case have been taken into account and no matters, including the scope of possible planning conditions, have been found to outweigh the identified harm and policy conflict. For the reasons set out above, the proposal would not be a sustainable form of development and accordingly, the appeal should be dismissed.
18. 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.

Clive Sproule

INSPECTOR