

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/08/15

gan Kay Sheffield BA(Hons) DipTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 28/09/2015

Appeal Decision

Site visit made on 19/08/15

by Kay Sheffield BA(Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 28/09/2015

Appeal Ref: APP/H6955/A/15/3084332

Site address: 10 Talbot Road, Wrexham, LL13 7DY

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 Robert Baines against the decision of Wrexham County Borough Council.
- The application Ref P/2015/0179, dated 6 March 2015, was refused by notice dated 5 May 2015.
- The development proposed is the change of use of a three bedroom terraced dwelling house to two flats.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of a three bedroom terraced dwelling house to two flats at 10 Talbot Road, Wrexham, LL13 7DY in accordance with the terms of the application, Ref P/2015/0179, dated 6 March 2015, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than five years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings EX-01; PL-01 Rev A; and PL-02.
 - 3) The first floor kitchen window as shown on approved Drawing No. PL-01 Rev A shall be obscure glazed and shall be retained in that condition for the duration of the development.

Main Issues

2. The main issues are the effect of the proposal on highway safety and on the living conditions of the neighbours with regard to noise and privacy.

Reasons

3. The appeal property lies within a residential area of predominantly two storey terraced properties. No external alterations would be required to convert the property into two flats and minimal internal alterations to create a one bedroom flat at ground floor level and a two bedroom unit on the first floor are proposed.

4. The appeal property, in common with most in the area, has no on-site parking and residents rely on on-street parking. I noted during my site visit that the flow of traffic on Talbot Road, which included lorries and commercial vehicles, was restricted at times by parked vehicles. However, I am not aware of any parking restrictions in the area and I have noted that the Local Highway Authority consider that the development would not result in a significant increase in the volume of on-street parking.
5. Although the development would not satisfy the parking standards set out in the Council's Local Planning Guidance Note 16 (LPG16), the shortfall over that required for the existing dwelling is 0.5 spaces. However, these are maximum standards. Moreover, the number of bedrooms would remain the same and it is highly likely that the overall number of occupants would be comparable to a single dwelling. As a result I consider the demand for on-street parking would not alter significantly as a result of the development. Furthermore the site is within relatively easy walking distance of services and facilities, including the bus and railway stations, in the town centre and occupants would therefore not be reliant on private transport.
6. The evidence therefore leads me to conclude that the proposal would not result in a significant increase in on-street parking and as a result the development would not cause additional detriment to the flow of traffic and pedestrian safety in the area, in accord with Policy GDP1 of the Wrexham Unitary Development Plan (UDP) and LPG16.
7. At first floor level the stairs and landing would be retained in situ. The front bedroom adjoining 9a Talbot Road would become a living room. The existing bathroom would be reduced in size and remain next to the party wall with No. 9a and the remaining space would become the kitchen. The relationship of the bathroom and stairs with the adjoining properties would remain the same and as neither dwelling would be directly adjacent to the kitchen they would be remote from any noise and activity within it. I accept that activity within a living room may be noisier than in a bedroom. However, I am satisfied by the evidence that the proposed first floor layout would not result in undue noise and disturbance of neighbours.
8. The only first floor window on the rear elevation of the property shown on the drawings is that which would serve the proposed kitchen. It is currently obscure glazed and it is proposed it would remain so. Views of neighbouring properties would therefore be restricted. In addition, the proposed layout would not encourage anyone to linger by the window as the door would open against it leaving no room for units or furniture. On this basis I am satisfied that the privacy of the neighbours would not be unduly affected by the development.
9. I therefore conclude that the proposed development would not cause detriment to the living conditions of the occupiers of neighbouring dwellings by reason of noise and disturbance or loss of privacy and would accord with Policy GDP1 of the LDP.
10. I have considered the Council's suggested conditions in the light of Welsh Government Circular 016/2014 *The Use of Conditions for Development Management*. To ensure the privacy of the occupants of neighbouring dwellings I have required obscured glazing to the window of the proposed first floor kitchen.
11. For the reasons given above, and having had regard to all other matters raised, the appeal is allowed.

Kay Sheffield

INSPECTOR