



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 08/01/13

gan **A D Poulter BA BArch RIBA**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 14/02/13

Appeal Decision

Site visit made on 08/01/13

by **A D Poulter BA BArch RIBA**

an Inspector appointed by the Welsh Ministers

Date: 14/02/13

Appeal Ref: APP/H6955/A/12/2186296

Site address: 49 Park Avenue, Wrexham, LL12 7AW.

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 outline planning permission.
 - The appeal is made by Mr Lorenzo Dotolo against the decision of Wrexham County Borough Council.
 - The application Ref P/2012/0219, dated 23 March 2012, was refused by notice dated 26 April 2012.
 - The development proposed is described as: *Change semi detached house to HMO.*
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Decision

1. I dismiss the appeal.

Main Issues

2. These are: the effect of the proposed development on highway safety; the effect on the character and appearance of the area; and the effect on neighbours' living conditions, with particular regard to noise and disturbance.

Reasons

3. The appeal relates to a large semi-detached house in a well established suburban residential area. Vehicular access is via a single-width dropped kerb and paved crossing of a grassed verge, which aligns with a tall solid brick wall at one side of the front garden. The property has no front boundary wall or hedge, and the front garden and an area at the side of the building have recently been fully paved. Internally the house has been refurbished and laid out to provide six lettable rooms, with shared kitchen, lounge and bathroom facilities. The application is therefore retrospective.
4. In order to avoid excessive pressure on the limited number of safe and convenient on-street spaces in the vicinity it is reasonable that sufficient parking spaces should be provided on-site to meet the needs of the occupiers of the proposed 'House in Multiple Occupation' (HMO). As the occupants of the proposed HMO would not be members of the same household the parking arrangements should allow cars to come and go without blocking each other in. Although visibility is somewhat restricted by trees and telegraph poles, the verge and footway are wide enough to enable the existing access point to be used safely in forward gear. However, because of the presence of the solid brick wall, reversing out of the site across the footway would be dangerous to pedestrians. Reversing out into the road would also be more difficult and dangerous than manoeuvring in forward gear. The lack of a front boundary wall or hedge could

lead to cars being driven across the footway and grass verge, thus adding to the risk to highway safety and causing damage to the verge. The parking spaces and turning areas should therefore be laid out in a way that would ensure that all spaces would be accessible at all times, and that cars would be able to enter and leave the site in forward gear, using only the existing dropped kerb and verge crossing.

5. The appellant has not provided any details of how the occupancy of the HMO would be managed, or otherwise demonstrated that the likely demand for parking spaces would be less than 1 space per occupant. No drawings or other details have been provided to show how many cars could be parked on site in accordance with the above criteria. However, it is clear that the existing paved area could not safely and conveniently accommodate six cars. In these circumstances it is not possible for me to determine that the existing parking arrangements would be acceptable, and no alternative has been proposed.
6. The developer has therefore not clearly demonstrated that the amount of parking provided would be sufficient to meet likely demand, as required by the Council's *Local Planning Guidance Note No 16: Parking Standards*. As it has not been shown that there would be safe and convenient vehicular access to and from the site there would be conflict with Policy GDP1(d) of the adopted *Wrexham Unitary Development Plan 1996 – 2011* (UDP). There would also be conflict with UDP Policy T8, which seeks to ensure that development requiring planning permission makes appropriate provision for car parking.
7. Nearby houses are generally large properties with well planted front gardens. The area is therefore leafy and attractive. In contrast, the existing paved area at the front of the building is harsh and unappealing. Its use as a parking area for several vehicles would emphasise its harsh and unsympathetic appearance, and would thus be significantly harmful to the character and appearance of the area. There would be conflict in this respect with UDP Policy GDP1(a), which seeks to ensure that built development would accord with the character of the site and would make a positive contribution to the appearance of the locality.
8. The use of the property as an HMO would not necessarily result in significant noise and disturbance, and excessively noisy behaviour by neighbours is not normally a matter for planning control. There is no evidence that the proposal would result in over-concentration HMO's in the vicinity, to the detriment of crime levels, the social fabric of the area, or the amenity of existing residents. There would be no conflict with UDP Policy H4 in this respect. However, as UDP Policy H4 requires proposals to accord with Policy GDP1, the creation of an HMO by sub-division of the property would not be permitted under Policy H4.
9. I conclude for the above reasons that, in the absence of an acceptable scheme for the layout of the site, the proposed development would conflict with the development plan for the area. I have taken all other matters that have been raised into account but find no material considerations that would indicate that the appeal should be determined other than in accordance with the development plan. I have no basis for planning conditions that could allow the development to proceed. I conclude that the appeal should be dismissed.

A D Poulter

INSPECTOR