

1.0 THE SITE

- 1.1 The property is located within the Town Centre at Unit A on Maesgwyn Road in Wrexham. The building is single storey and comprises an A1 (Retail) Carpet Store, the retention of which is the subject of this planning Appeal.

2.0 SITE HISTORY

- 2.1 This Appeal follows the decision by Wrexham County Borough Council to refuse permission (P/2016/0698) for the retention of the unauthorised retail use and associated signage. The Council made the decision on 24 August 2016 and the reason for refusal given as:
‘In the absence of any bone fide off-road parking, the proposed development would likely exacerbate existing indiscriminate parking issues on Maesgwyn Road which serves the site. This would be detrimental to highway safety and to allow the development would be contrary to Policies GDP1 d) and S6 of the Wrexham Unitary Development Plan and Local Planning Guidance note no. 16 'Parking Standards'.
- 2.2 Planning permission was refused in 2014 (P/2014/0630) for the creation of a vehicular access off Maesgwyn Road into the Appeal site. However, an Appeal was allowed on 19/02/2015 (ref: App/H6955/A/14/2229495) granting permission. I have attached a copy of this decision at Appendix 1. With the exception of condition no.1 none of the conditions have been complied with despite the implementation of the roller shutter on site. It is noted though that this shutter entrance has not been used as a vehicular access, nor is it proposed to use this as a vehicular access as part of the application now the subject of the Appeal.

3.0 LOCAL PLANNING CONTEXT

- 3.1 The relevant development plan for this Appeal is the Wrexham Unitary Development Plan (UDP) as adopted by the Council in 2005. For the purposes of this Appeal, policies GDP1 d) and S6 are relevant.
- 3.2 Policy GDP1 states that new development should:
- (d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on-site and in the nearby locality.
- 3.3 Policy S6 states that small scale shopping development will be allowed within settlement limits provided that:
- a) The development is safely accessible for customers on foot;
 - b) The development does not harm residential amenity and / or does not give rise to traffic problem e.g. on-street parking that cannot be addressed;

c) The sales floor area of each development does not exceed 300 metres.

- 3.4 Paragraph 4.1 of the UDP states that the Council will issue supplementary planning guidance with the aim of encouraging high standards of development and design. Accordingly Local Planning Guidance Note 16 – Parking Standards is relevant. This guidance note is attached at Appendix 2.

4.0 THE COUNCIL'S CASE

- 4.1 The proposed development site is located on Maesgwyn Road which is an unclassified, predominantly residential road which is subject to a 30mph speed limit. However, the Council would estimate typical speeds of around 25mph given the geometry of the road.
- 4.2 The proposed development does not make adequate provision for on-site parking. Local Planning Guidance Note No. 16 'Parking Standards' requires a maximum of 18 parking spaces. Given the proximity of the premises to the town centre and to different modes of public transport a reduction in the amount of spaces would be appropriate. It is estimated that around half of customers would likely travel by means other than the motor car and the retail use is thought to generate a parking demand closer to 9 no. spaces (50% of the maximum). In the absence of any dedicated on-site parking to allow the development is contrary to UDP Policy GDP1 d) and Local Planning Guidance Note No. 16 'Parking Standards'.
- 4.3 As mentioned above, the development does not have the benefit of any on-site parking thus all customer and service (deliveries and collections etc.) vehicles visiting the site must stop on the public highway. Due to the bulky nature of the products for sale (Carpets), a higher number of delivery vehicles are required to attend the site than that of other A1 uses such 'top up shopping' which can be carried away by the customer. As the application is in retrospect, the Council has had the opportunity to witness the parking of these vehicles across and behind the 1.6m wide footway along the site frontage. This not only contravenes the Traffic Regulation Order but creates an obstruction of the footway causing pedestrians to walk on the carriageway. This conflict between road users is considered to be a source of danger to both drivers and pedestrians. Photographic evidence of this is attached at Appendix 3. As such, the proposed development is contrary to Policy S6 a) of the adopted Wrexham Unitary Development Plan.
- 4.4 Alternatively, customers and service vehicles park on the street fronting the residential properties opposite the Appeal site which compounds problems in an already congested area, depriving local residents of a parking place. As such, the proposed development would be contrary to Policy S6 b) of the adopted Wrexham Unitary Development Plan.

- 4.5 At point 5 of the Appeal decision ref: App/H6955/A/14/2229495 (See Appendix 1), the planning Inspector noted that there was pressure on the availability of on-street car parking, especially for residents and that consequently the development could place pressure with possible consequence for local residents. The Inspector therefore concluded to attach condition no.2 (see Appendix 4) to ensure that adequate on-site parking was provided within the building and reduce instances of indiscriminate parking on Maesgwyn Road.
- 4.6 This application also included a plan (see Appendix 4) to landscape behind the existing footway to prevent parking in this location, and the Inspector included condition nos.2 and 8 to ensure that these works were carried out in the interests of highway safety.
- 4.7 With regards to the proposed retention of the existing signage, the Council confirms that there are no objections to this should the retail use of the premises be considered acceptable.

5.0 SUGGESTED CONDITIONS

- 5.1 It is accepted practice that the Council prepare a list of suggested conditions should the Inspector be mindful to allow the appeal. These can be found at Appendix 5 of this statement.

6.0 CONCLUSION

- 6.1 Retention of the A1 retail use would compound problems of indiscriminate parking on the highway to the detriment of the safety of users of the public highway by way of conflict between pedestrians and cars, and to the detriment of the occupiers of the nearby residential properties due to loss of parking spaces.