Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

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by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24/04/2026

Appeal reference: CAS-04686-L1H8G5

Site address: 39 Clifton Avenue, Brymbo, Wrexham, LL11 5FS

- 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 Peter Healey against the decision of Wrexham County Borough Council.
- The application Ref P/2024/1694, dated 18 December 2024, was refused by notice dated 23 October 2025.
- The development proposed is a double garage with driveway and access via an extended dropped kerb to the rear of the property.
- A site visit was made on 14 April 2026.

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development given by the appellant as, given that an access already exists at the rear of the property, it more accurately describes the proposal than the Council's description.
3. The originally proposed double garage was intended as a pitched roof construction. However, I have determined the appeal on the basis of the amended plans, showing a flat roof garage, which formed the basis of the Council's decision.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area, its effects on the living conditions of neighbouring occupiers and its effects on highway safety with particular regard to parking.

Reasons

Character and appearance

5. The appeal property is a semi-detached red brick finished pitched roof dwelling within an established residential setting of similarly styled housing, fronting onto a cul de sac at the northern tip of Clifton Avenue, just south of Brymbo. To its rear, lodged between its garden and the garden of the dwelling to its south, and accessed from Clifton Avenue to

its east, the appeal property has an off-road parking space to accommodate two cars parked end to end. The proposal is to erect a double garage at the site which would accommodate two cars parked side by side, accessed from the widened driveway. Wrexham Unitary Development Plan (UDP) Policy GDP1 says that all new development should, amongst other things, ensure that its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

6. I saw during my site visit that garages, where they exist, are integral to dwellings locally. Although it would be a stand-alone structure, the width of the intended garage would be narrower than adjoining dwellings and it would not fill the entire length of the appeal property's garden. Accordingly, it would appear subservient to existing structures in scale and form. It would also be finished in brickwork and so would reflect external wall finishes locally. However, exacerbated by its position close to the road, although its effects would be localised, the intended flat form of its roof would be a noticeable and incongruous feature, at odds with prevailing pitched and sloping roof forms locally.

7. I conclude that the proposal would harm the character and appearance of the area and so would conflict with UDP Policy GDP1. It would also conflict with UDP Policy PS2 which requires, amongst other things, that development must not materially detrimentally affect townscape character.

Living conditions

8. Although I saw that the intended building would be close to and would extend along much of the boundaries of the rear gardens of the adjoining properties at No 37 and No 41 Clifton Avenue, it would not significantly extend in height above boundary fencing and so would not be an unduly dominant or oppressive feature seen from those dwelling or their gardens. Owing to its intended distance from dwellings, and openings in their closest elevations, there would be no unacceptable loss of light. Any overshadowing would be likely to be to the closest garden area of No 41, away from the area closest to that dwelling. High-level windows would allow light into the building but safeguard against any overlooking. Any repairs or maintenance undertaken would be to the appellant's own vehicles and the Council could take action against any unauthorised uses. As such activities would be incidental to the use of the dwelling and undertaken within the building which would offer some noise dampening effects, I consider it unlikely that unacceptable noise or disturbance would occur as a result of the proposal.

9. I conclude that the proposal would not harm the living conditions of neighbouring occupiers. It would therefore comply with UDP Policy GDP1 which also requires that development should ensure the amenity of the public.

Highway safety

10. UDP Policy GDP1 also requires that development should ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality. Policy T8 of the UDP says that development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to listed factors, including road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

11. The Council's adopted Local Planning Guidance Note 16 'Parking Standards' (LPGN 16) sets out parking standards for development, including a requirement for 2 parking spaces for dwellings such as the appeal property. LPGN 16 acknowledges that its requirements are maximum rather than minimum standards. It states that garages will not be counted

as contributing towards on-site parking provision and development should not result in the loss of existing parking spaces unless otherwise justified in the proposal.

12. The garage as originally intended was reduced in width, amongst other things, in an effort to address the Council's concerns over its scale and massing. Although the intended garage could accommodate two parked cars, I consider that when vehicular maintenance and repairs were being undertaken, to allow the sufficiency of space the appellant says would be necessary for safe and efficient use of the inspection pit and workshop, associated tools, and fixed equipment and to enable safe movement around the vehicle, the garage would only be likely to accommodate one car. Any second car would therefore be likely to be parked on the roadside nearby. Whilst repairs and maintenance may not take place habitually, the building would also be used for general domestic storage purposes, further reducing its serviceability as parking space.

13. I consider that use of the garage structure as intended would be likely to result in overspill parking on the street. Although, owing to its intended additional width, the widened access would not lead to extensive loss of on street parking space, its position in the street could lead to vehicles being parked closer to the cul de sac. Additional overspill or displaced parking in this location, albeit not continuous, would restrict visibility for drivers emerging from the cul de sac and force vehicles into the opposite side of the road to pass parked cars. Although traffic speeds and volumes are likely to be low, occupiers of the appeal dwelling would be reliant on the adjacent highway for their parking needs, including visitor and service / delivery traffic. The development is therefore likely to result in unacceptable intensification of parking on the adjacent highway which would hamper visibility near the turn into the cul de sac and which would not be conducive to the safe movement of traffic.

14. I conclude that the proposal would harm highway safety with particular regard to parking. The proposal would therefore conflict with UDP Policies GDP1 and T8 and the advice within LPGN 16.

Planning balance and conclusion

15. I have had regard to the appellant's contention that the proposal has been adapted to conform to permitted development but the Council disputes this owing to its intended roadside position and there is no cogent evidence, such as a Certificate of Lawful Use, to support the claim. Although I have found in favour of the proposal in terms of its effects on the living conditions of neighbouring occupiers, the harm that would arise in relation to the other main issues is overriding.

16. For the reasons given above I conclude that the appeal should be dismissed.

17. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that the findings of this Report are in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

N Jones

INSPECTOR