

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3rd JUNE 2019

APPLICATION NO:
P/2019 /0307

LOCATION:
16 ARLEY ROAD PANDY WREXHAM
LL12 8PQ

DATE RECEIVED:
18/04/2019

COMMUNITY:
Gwersyllt

DESCRIPTION:
USE OF PART OF DWELLING FOR
ACADEMIC HOME TUITION AND
COUNSELLING (MONDAY - FRIDAY,
SCHOOL TERM TIME ONLY,
BETWEEN 17.00 HRS AND 20.00
HRS)

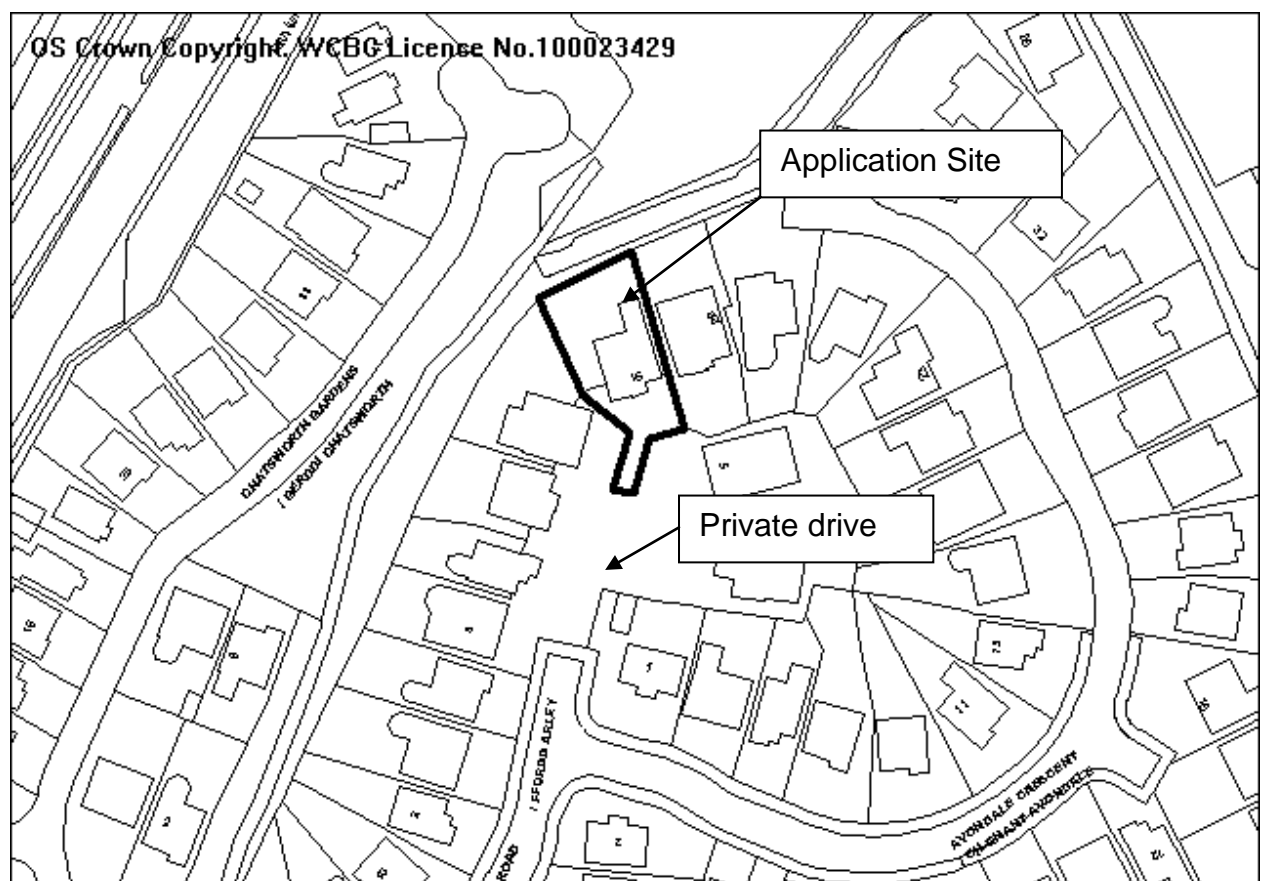
CASE OFFICER:
MR

WARD:
Gwersyllt East & South

AGENT NAME:
MR ANDREW TAYLOR-
EDWARDS

APPLICANT(S) NAME:
MR ANDREW TAYLOR-EDWARDS

SITE



PROPOSAL

The proposal seeks retrospective planning permission for use of part of the dwelling for academic tuition and counselling for students.

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The tuition and counselling takes place within the existing office and conservatory within the dwelling.

Operational hours are stated as term time only, Monday to Friday between 5pm and 8pm.

HISTORY

P/2000/0046 Substitution of house types on current residential development.
Approved 28/02/2000.

DEVELOPMENT PLAN

Within Wrexham Town Settlement Limit. UDP policy GDP1 applies.

CONSULTATIONS

- Community Council: Object to the application. Existing parking arrangements are unsuitable for the purpose of accommodating all the comings and goings likely to be generated by the applicants business. The Council is concerned about noise and disturbance resulting from this use and considers that regard should be paid to the impact on other residents.
- Local Member: Cllr Mannering – No objection.
Cllr Griffiths – Objects to the application.
- Highway Authority: No comments received at the time of writing. An update will be provided in the Committee Addendum.
- Public Protection: No comments.
- Site Notice: Expired 20.05.2019.
- Neighbours: 5 no. representations in support of the proposal.

2 no. representations objecting to the proposal. Concerns raised include increase in congestion on the shared private driveway, operational hours have previously been different those stated on the application forms, the visitor space on the shared driveway cannot be relied on exclusively by the applicant, significant increase in vehicles travelling to and from the property every evening, residents blocked in or out of driveways given parking occurs on the private driveway, adverse impacts on highway and pedestrian safety, the application is

not similar to the appeal decision provided by the applicant, increase in air pollution, no on-street lighting on the shared driveway.

SPECIAL CONSIDERATIONS

Residential Amenity: Operational hours are confirmed as term time only, running Monday – Friday between 5pm and 8pm.

The application states that students either walk to the property or are dropped off singly and collected after the tuition ends.

The use would involve tuition of two students per hour, on a one to one basis.

Private academic tuition, by its very nature, would result in little noise, nuisance and disturbance.

Impacts on residential amenities of neighbouring properties would be limited to the associated vehicular movements to and from the property.

On this basis, impacts would be related to the opening and closing of vehicle doors, approximately each hour, over the course of three hours. Given the limited time when tuition would take place and the comparatively modest increase in vehicular movements, this is considered unlikely to result in a significant degree of noise or disturbance to neighbouring occupiers.

Having regard to the above, the application is not considered would adversely impact on existing levels of residential amenities of neighbouring occupiers.

Access and Car Parking: On the basis of the applicants' submitted information, the nature of the vehicular movements to and from the site involves dropping off and collecting students either on the public highway, using a vacant parking space within the site curtilage or parking on the square immediately between the shared access and the public highway.

Some neighbouring properties have raised concerns in regards to indiscriminate parking on the shared, private driveway/visitor parking spaces as a result of the proposal.

Whilst concerns raised by neighbours relating to congestion and obstruction on the shared driveway/visitor parking spaces are noted, this land is outside the control of the Local Authority, therefore issues relating to use of the shared, private driveway/visitor parking spaces are a civil matter between the occupants of the properties served by the driveway and the applicants.

From a highway safety perspective, the proposal would result in vehicular movements in the form of drop offs and pick-ups over the course of three hours each evening, Monday – Friday.

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On the basis of two students tutored each hour, this would involve two vehicular movements to the site at 5pm and 8pm and four vehicular movements to the site at 6pm and 7pm.

This level of vehicular movements is not considered to represent a significant increase in movements in the cul-de-sac.

Furthermore, vehicular movements would be hourly in connection with the length of time of tuition, as opposed to being throughout the duration of the three hours, with the busiest periods being around 6pm and 7pm as a result of drop offs and pick-ups.

Given the limited operational hours of the proposal as well as the generally limited timeframe associated with pick-ups and drop offs, the proposal is not considered to result in such adverse impacts to highway safety, as to warrant refusal of the scheme on this basis.

Conditions to limit operational hours to between 5pm and 8pm Monday to Friday and term time only, as well as a condition to limit maximum number of students to two per hour are considered reasonable to secure an element of control over the scale of the business.

Highway Authority have not provided comments to date, however an update will be provided in the Committee Addendum.

CONCLUSION

The proposal is not considered would result in adverse impacts to residential amenities or highway safety to such an extent, as to warrant refusal of the application. The proposal would comply with UDP Policy GDP1.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The approved plans are:-
 - 1:1250 Site Location Plan (Title Number CYM9472)
3. This permission shall not be for the benefit of the land but shall operate for the benefit of Mr Andrew Taylor-Edwards and immediately on the discontinuance of his use of that land, the use shall cease and be permanently abandoned. The land shall be restored to its previous condition not later than one month after that date.
4. No use of the development shall be made before 17:00 or after 20:00 hours Monday to Friday, school term time only. The development shall not be in use on Saturday, Sunday, Bank Holiday and outside school term time.
5. No more than two students shall be tutored at any one time.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
 2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
 3. In the interest of safeguarding existing residential amenities of neighbouring occupiers.
 4. To ensure that the proposed tuition is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 5. To safeguard existing levels of residential amenities of neighbouring occupiers and to control the scale of the development.
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