Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1068

Applicant
MS JOY WORDEN

Agent

Site Address
27 HAMPDEN ROAD, WREXHAM, LL13 7RU

Description of Development
NEWID DEFNYDD O ANNEDD DOSBARTH C3 I DŶ AMLFEDDIANNAETH DOSBARTH C4 / CHANGE OF USE FROM CLASS C3 DWELLING TO CLASS C4 HOUSE IN MULTIPLE OCCUPATION

Ward
Offa/Offa

Community
Offa/Offa

Recommendation
Grant

Officer Report

Site Description
The application site comprises no. 27 Hampden Road, Wrexham. Located within the settlement, on the outside of the city centre, the area is characterised as residential, comprising mainly two-storey, red brick, terraced dwellings.



Proposal

The application seeks planning permission for the change of use of the dwelling into a 3 bed house in multiple occupation. No external works are proposed.

Reason for Committee Determination

Concerns have been raised by the Community Council in respect of a lack of parking in the area to accommodate an increase in demand arising from the proposal. .

Site History

None relevant

Development Plan

Wrexham Local Development Plan (LDP)
Policy SP2: Location of Development Policy SP11: Transport and Accessibility
Policy SP12: Design Principles & Masterplanning Framework
Policy SP14: Natural Environment Policy H6: Conversion of Buildings to Self-Contained Flats or Houses in Multiple Occupation (HMOs)
Policy NE6: Waste Water Treatment and River Water Quality
Policy DM1: Development Management Considerations
Policy T1: Managing Transport Impacts Local Planning Guidance Notes LPGN 05 – House in Multiple Occupancy

Local Planning Guidance Notes (LPGN)
LPGN 16 – Parking Standards
LPGN 21 – Space around Dwellings
LPGN 32 – Biodiversity and Development

Relevant National Policy
Planning Policy Wales Ed 12
Future Wales Plan (20-40)
Future Generations of Wales Act (2015)
Technical Advice Note 18 - Transport

Consultation Responses

Community Council:
Objects. Comments that there is insufficient on-street car parking, which is already posing a problem along Hampden Road and other neighbouring streets. If approved, the maximum occupancy must be limited to three persons.

Local Member:
Consulted. No response received.

Natural Resources Wales:
Consulted 4/9/24.

Dwr Cymru Welsh Water:
Comments that there are assets crossing the site which the applicant should take into account.

Confirms there is hydraulic capacity within the network to accommodate additional foul flows and the Five Fords Treatment Works has the relevant phosphates permit.

Highway Officer:
Raises no objection to the proposal given the sustainable location of the site, the likelihood that not all occupants will have vehicles and that parking spaces have been observed on the street and those in the nearby area in the evening (after 6pm): 12 on-street parking spaces along Hampden Road, 8 on-street parking spaces along Edward Street and 14 on-street parking spaces along Poyser Street.

Contaminated Land Officer:
No comments to make.

Public Protection Officer:
No objection. Recommends Advisory Note in relation to housing standards.

Ecology Officer:
Consulted. No response received

Publicity Undertaken:
Notification Letters: 24 notification letters issued to nearby occupiers.

Responses to Publicity:

A total of 3 representations have been received, 2 of which are from the same occupier of a neighbouring household. Concerns are raised over the lack of parking in the area and an increase in noise levels.

Principle of Development

Policy SP2 of the Local Development Plan directs development to within the settlement boundary. The principle of development in this location is therefore acceptable.

In considering the proposal, regard is given to Local Planning Guidance Note 5 and to Local Development Plan Policy H6: Conversion of Buildings to Self-Contained Flats or Houses in Multiple Occupation. Policy H6 states:-

Proposals for the conversion of existing buildings to self-contained flats or Houses in Multiple Occupation will only be supported where:

i. Conversion is possible without major alterations or extensions which would significantly alter the character and appearance of the building and locality; and

ii. In order to ensure that the cumulative impact of development would not lead to the over concentration of HMOs in the locality to the detriment of community cohesion or residential amenity:

The proposal does not result in more than 10% of all residential properties within a 50m radius of the boundary of the application site being HMOs; and
There is a gap of at least two class C3 dwellings or other buildings not in use as HMOs between the development and any existing HMOs; and

iii. The proposal does not have an adverse effect on local parking provision; and

iv. The proposal will not have an unacceptable effect on the amenity of the occupiers of nearby properties or adversely impact upon the operation of nearby business premises; and

v. Provision is made for a satisfactory standard of amenity for the occupiers of the development, including the provision of a drying area, bin storage and cycle parking and private outdoor amenity space.
Dealing with each of the above in turn:

Criteria i) No external works are proposed. The only alterations would be internal works to provide a third bedroom on the ground floor. As such the proposed development does not pose harm to the character and appearance of the site and wider area.

Criteria ii) There is only one existing HMO on the adjacent Edward Street which falls within a 50m radius. As such the proposed development would not result in more than 10% of the residential properties within 50m of the site being HMOs. It would also maintain a gap of at least 2no. Class C3 dwellings between existing and proposed HMOs.

Criteria iii) The property is located within relatively easy walking distance to Wrexham City Centre, where there is access to a range of services and public transport. As such, it is considered to be a sustainable location where occupants would not necessarily be reliant on car ownership to meet their everyday needs.

Local Planning Guidance Note 16 advises that the maximum parking provision for Houses in Multiple Occupation of 1 to 6 bedrooms is 1 car space per bedroom, up to a maximum of 4 spaces. The maximum parking provision for the proposed development would be 3 spaces or 1 space more than the existing use as a 2 bedroom dwelling. Provision should also be made for 1 secure cycle parking space per 2 bedrooms via a safe, secure and preferably covered cycle parking area located within the curtilage of the building.

The existing dwelling does not have any off-road parking and it is accepted that the required off-road parking standards cannot be met by the proposed development. However, LPGN16 is guidance and should be applied reasonably to the individual circumstances of the development.

LPGN16 acknowledges that in sustainable locations, it may be appropriate to provide fewer parking spaces, in recognition of the decreased reliance on private cars for certain journeys. It has also been accepted by Inspectors when considering appeals relating to HMOs that occupiers of such generally have lower levels of car ownership than occupiers of traditional dwellings. Moreover, whilst visiting the area in the evening (after 6pm) the Council's Highways Officer observed 12 on-street parking spaces along Hampden Road, 8 on-street parking spaces along Edward Street and 14 on-street parking spaces along Poyser Street.

Having regard to the above, it is unlikely the proposed development would result in significant additional traffic generation, parking demand or road safety concerns within the area. To this end, it would be unreasonable to refuse the proposed development on highway grounds.

Criteria iv) In terms of residential amenity, the occupiers of adjacent properties would not experience any loss of privacy. The use of a 3 bed HMO would not give rise to a materially different level of activity than if the property were to be used a Class C3 dwelling, thus any impact in terms of noise would be negligible. The proposed development would satisfy this criteria as well as Policy DM1 of the LDP.

Criteria v) Houses in Multiple Occupation should have a large enough private outdoor area to provide external drying areas, cycle parking, bin storage and to provide for the amenity of the occupiers the property. This application site is an existing dwelling which benefits from a suitably sized private outdoor seating and drying area, bin storage area and dedicated cycle store to the rear. The proposed development would utilise the same provisions which are considered to be adequate in accordance with guidance in LPGN5.

In addition to requiring planning permission, the proposed HMO will also need a separate licence from the Council’s Public Protection Team. Licensed HMOs are

subject to conditions that require landlords to take all reasonable steps for the satisfactory management and maintenance of good physical standards of HMOs. These include mandatory conditions requiring certificated inspections for gas, electrical and fire safety, as well as specifying maximum occupancy numbers. There are also conditions requiring the licence holder to prevent anti-social behaviour. Breaching licence conditions can ultimately result in landlords being prosecuted and their licence being revoked. Licensing requirements are entirely separate to the requirement for planning permission and it is made explicitly clear within national planning policy that the planning system should not duplicate the controls of other regulations in making decisions on planning applications

For the reasons given above, the proposal is considered to accord with LDP Policy H6 and LPGN 5.

Natural Environment

The application is accompanied by a Green Infrastructure Statement and Net Benefit to Biodiversity document which indicates there is presently no green infrastructure on site, which is common for terraced properties in this area. To provide a net benefit to biodiversity, the applicant proposes to install a bird nesting box. This is considered to be proportionate to the scale of the development which is limited to internal works only and in accordance with para 6.4.5 of PPW12.

Drainage

There would be no changes to the existing drainage arrangement on site. The proposed development would be unlikely to generate a in a significant increase in water drainage compared to the existing use. Dwr Cymru/Welsh Water have confirmed that there is capacity within the network to accommodate foul flows from the site. It has also been confirmed that the Five Fords Waste Water Treatment Works has the relevant phosphate permit and is operating within its limits. As such, a material increase in phosphorous inputs upon the River Dee SAC is ruled out.

Having regard to the above, the proposed development accords with LDP Policies DM1 and NE6.

Other Considerations

The Community Council has commented that the occupancy of the development should be limited to 3 people. The existing Use Class C3: Dwellinghouses would permit the property to be occupied by up to 6 people living together as a single household, whereas Class C4: Houses in Multiple Occupation (small) permits the use of a dwellinghouse by no more than 6 residents who do not form a single household. It is not therefore not considered reasonable, to restrict the occupancy of the proposed HMO to 3 persons. In addition, the HMO would be subject to the requirements to obtain a separate license which would determine the level of occupancy based on assessment on the internal living spaces and

room sizes proposed. A planning condition would unnecessarily duplicate these controls.

Conclusion

The proposed development accords with the relevant National and LDP policies and LPGN's.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):

   Proposed floor plan, block plan and location plan

3. Prior to the first occupation of the dwelling as a house in multiple occupation, a bird box shall be fitted to the rear elevation of the dwelling at a suitable height and shall be retained thereafter.

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

Notes

The Applicant / Developer is required to make an application for a HMO licence, prior to the property becoming occupied as a HMO. The HMO Licence application

form and guidance is available at:
http://www.wrexham.gov.uk/english/council/Housing/hmo_licensing.htm

The Applicant / Developer is also required to comply with the Rent Smart Wales Scheme being registered and / or licensed as necessary. Further information on Rent Smart Wales is available at: https://www.rentsmart.gov.wales/en/