SUPPORTING STATEMENT
PROPOSED AMENDMENT TO CONDITIONS
30 RUABON ROAD, WREXHAM LL13 7PH

BACKGROUND

This statement accompanies an application to Wrexham County Borough Council to amend condition number one and delete condition number two on planning permission reference P/2010/0310 granted by the council on 22nd June 2012 from a change of use from single residential house to House in Multiple Occupation (HMO) in retrospect.

The conditions given were:

1. The property, subject to this permission, shall be occupied by a maximum of nine students at any one time.
2. The property subject to this permission shall be occupied by students only.

The reasons given were:

1. In the interests of highway safety due to the lack of on-street and off-street parking provision.
2. In the interests of highway safety due to the lack of on-street and off-street parking provision.

The application had been reported to the Council's Planning Committee on 30th April 2012 with a recommendation to approve subject to:

1. The property subject to this permission, shall be occupied by a maximum of nine tenants at any one time.

The reason given was the same as for the two disputed conditions.

REPORT TO COMMITTEE:

The Planning Office's report included a note of the Council's Highway Officer's observations:

"Parking: The floor plans indicate that the property could comfortably be used as a 5-6 bedroomed dwelling, which would require four parking spaces, on the basis of Local Planning Guidance Note 16. HMOs and student accommodation require one car space per two bed spaces which on the basis of restricting occupation to nine tenants would generate a requirement for 4.5 spaces.

No off-street parking is available and parking would be on the adjoining highway. Whilst I am conscious of the objections raised on the basis of compounding existing parking problems on Ruabon Road, a condition restriction occupation and the sustainable location close to the town centre and all facilities, including railway and bus stations would be likely to reduce demand for a car.

Given the permitted residential use as a single dwelling and the above comments I am satisfied that the use will have a negligible impact on parking and will not adversely impact on highway safety."

The planning officer's recommendation was to grant permission subject to the limit of nine tenants, please note the word "students" replaced the word "tenants" in the actual planning permission that was granted.

THE SITE:

The site is located in an area that is mainly residential in character with some commercial use nearby. Very few if any properties in the area benefit from off road parking facilities.

The site is located about 0.4 km from the town centre of Wrexham and is thus within easy walking distance. Ruabon Road is served by many regular bus services and the site is a short walk from both the main train and bus stations.

THE PROPOSAL:

At present the site is occupied by 9 residents in 7 large bedrooms. It is proposed to allow couples to occupy the double bedrooms, the maximum occupancy in the seven bedrooms would be 7 couples so 14 people. This reflects the changing demand in the area for more 2 person units of accommodation.

PLANNING POLICY:

The Council's planning policies are set out in the adopted Unitary Development Plan.

UDP Policy H4 deals with subdivision of dwellings and the explanatory text says "conversion may provide much needed smaller accommodation more quickly and cheaply than would the provision of new homes."

Policy GDP1 requires that "all new developments should.. (be).. Located where it has convenient access to public transport facilities.. wherever possible." Policy T8 requires that "development granted permission will be required to provide vehicle parking spaces either on site or nearby in accordance with the Council's current parking standards…"

Policy H6 of the LDP deals with applications to convert properties to HMO's. Policy DM1 sets out general requirements for applications.

The Councils revised Local Planning Guidance Note 4 on HMO's in 2018 does not set out parking requirements which are in LPG16. The relevant car parking standards were also revised in 2018 and deal more explicitly with HMO's.

Previously they were:

LPG16 adopted November 2011 set out "a maximum (parking requirement) for new developments and change of use and apply throughout the County Borough".

The standard for a house with 5 or more bedrooms is 4 spaces.
The standard for HMO's is one space for two bed spaces.

The revised version adopted in 2018 says:

HMO's: one to six bedrooms, one space per bedroom up to a maximum of four spaces.
Seven bedrooms or more four spaces for the first six bedrooms and one space per two bedrooms thereafter.

The Welsh Government (PPW 10) says:

“...Parking standards should be applied flexibly and allow for the provision of lower levels of parking…”

Assessment:

The property has been occupied as a 9 bed HMO for over 10 years and the applicant has always endeavoured to ensure that the occupation does not affect the character or appearance of the area or the amenity of nearby residents.

Condition 2 is entirely superfluous and repeats part of condition 1 and it is not “necessary”. It therefore fails the test laid down in the circular.

Condition 1 is not precise in that it does not define “student”, this could include part-time students or anyone in full-time employment attending an evening class. It is therefore unenforceable and is not precise and fails the tests in the circular.

Parking:

The maximum standard (as then confirmed by the Highways officer) for 9 bed spaces was 4.5 car parking spaces. The current standard for 7 bedrooms is 4.5 car parking spaces so no change in the car parking requirement. The standard has been changed from referring to bed spaces (i.e. residents) to bedrooms.

In any event, parking standards are said to be maxima. So a lesser number would meet the policy unless the Council were able to demonstrate that there was a particular issue in this case. Given the proximity of bus services (8 routes along Ruabon Road, 3 hourly, 4 half hourly and 1 irregular) linking the site to Wrexham bus station, Oswestry, Cefn Mawr, Penycae, Rhos, LLangollen and Acrefair there is every likelihood that a resident of the site could find a service to serve their needs. A short walk away is the main bus and train station. If ever there was a site suitable for reduced parking this must be a strong candidate.

CONSERVATION AREA:

The proposal is intended to increase the viability of the property. This will provide an opportunity to enhance the character and appearance of the conservation area. Leaving it vacant or under used would harm the conservation area.

CONCLUSION:

The Council is asked to amend condition 1 to relate to 14 residents and delete condition 2.

Council's parking standards

C3 Dwellings	1 bedroom	1.5 car space per unit	Sufficient space to provide at least 2 secure cycle parking spaces per dwelling. In the case of flats, this should be provided via safe and secure communal cycle parking areas.
	2 bedrooms	2 car spaces per unit	
	3/4 bedrooms	3 car spaces per unit	
	5 or more bedrooms	4 car spaces p	
Houses in Multiple Occupation	1 car space per two bed spaces	Provision for at least 2 secure covered cycle parking spaces per HMO via a safe and secure cycle parking area.	
Student Accommodation		1 car space per two bed spaces, and an area suitable for drop off/pick up either on site or close to the development.	1 cycle space per 5 bed spaces via a safe and secure cycle parking area.

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Welsh Government Policy (PPW 8 Jan 2016)

8.4.2 **Car parking provision** is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan.