

REPORT OF THE CHIEF PLANNING OFFICER – 2 November 2009

APPLICATION NO:

P/2009 /0763

LOCATION:

SYCAMORE HOUSE 2 STANSTY
ROAD STANSTY WREXHAM
LL11 2HR

DATE RECEIVED:

14/09/2009

COMMUNITY:

Rhosddu

DESCRIPTION:

CHANGE OF USE TO HOUSE IN
MULTIPLE OCCUPANCY

CASE OFFICER:

MP

WARD:

Stansty

APPLICANT(S) NAME:

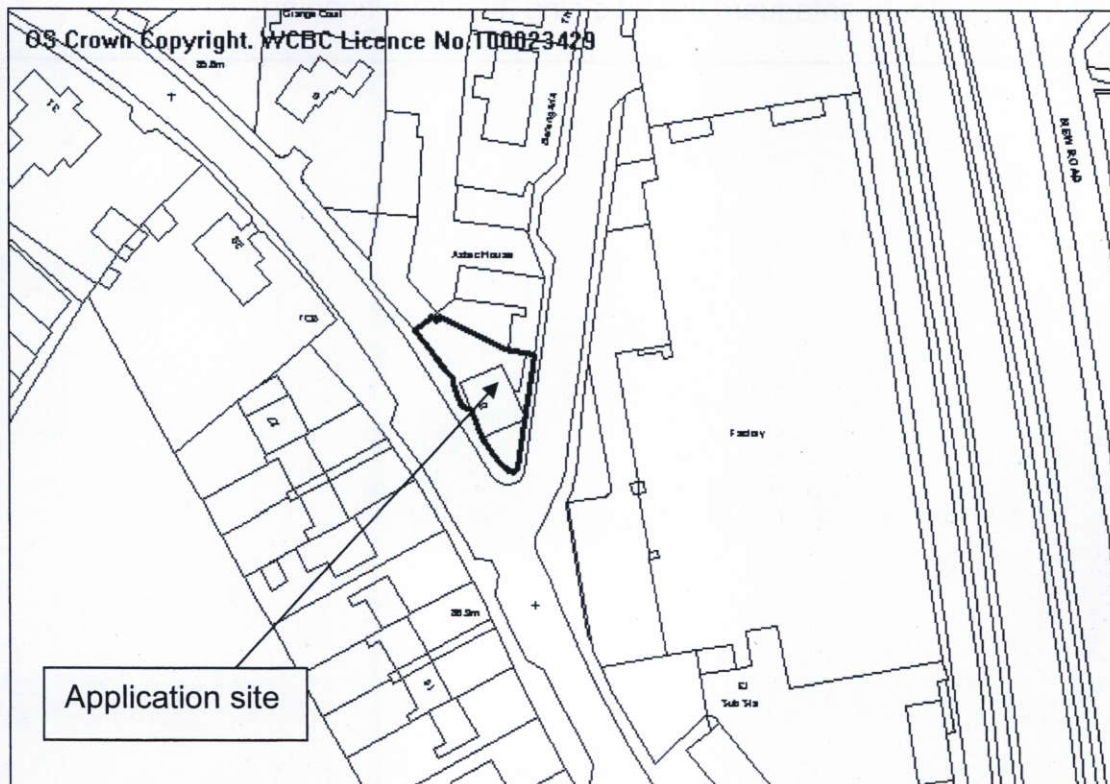
MR A MOUNTAIN

AGENT NAME:

MR A MOUNTAIN

SITE

Existing two storey dwelling at junction of Stansty Road and Railway Road.



PROPOSAL

The proposal is to provide 8 bed spaces in a house of multiple occupation.

HISTORY

No history.

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DEVELOPMENT PLAN

Within settlement. Policy H4 is applicable as is the guidance contained in LPG5 – Conversion of Dwellings to Houses in Multiple Occupation.

CONSULTATIONS

Community Council:	No objection
Local Member:	Concerned about the intensity of the use and the potential problems the development will cause regarding on-street parking.
Public Protection:	Following information received; - occupied as HMO since 2005. No complaints received; - currently occupied by students; - adjacent property a HMO and 2-3 other HMOs on Crispin Lane.
Other representations:	1 letter received making the following comments: - house has been used as multiple occupancy house for quite a few years and this is the first time we have been informed of any planning application for change of use.
Site Notice:	Expired 1.10.09

SPECIAL CONSIDERATIONS

Policy: H4 deals with the subdivision of existing dwellings and is probably the most relevant given the nature of development. The policy allows for this type of development where:

- a) the subdivision is possible without major alterations, extensions or additional buildings which would significantly alter the character of the original dwelling;
- b) the proposals accord with GDP1;
- c) adequate open private space is available;
- d) the proposal would not result in an overconcentration of HMOs to the detriment of crime levels, the social fabric of the area and amenity of existing residents.

I understand that the dwelling has been used as a HMO for a number of years, and the plans clearly show there to be 6 bedrooms. No additional bedrooms will be created as a result of this development, therefore the additional accommodation can only be provided by increasing the number of beds in the property.

There has been no previous planning permission for the premises to be used as a HMO although Public Protection have confirmed that the site has been occupied as a HMO since 2005. This does not necessarily mean that there has been a breach of planning control occurring over this period given that a HMO for planning purposes is not the same as defined by the 2004 Housing Act.

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The requirement for planning permission depends upon how the property is actually occupied. A property could be occupied by up to 6 people without planning permission provided that the house is occupied by those people on a communal as if the house were occupied by a single household. For example, kitchen and bathroom facilities must be shared, rent must be paid communally and tenants must live at the premises with a reasonable degree of permanence. Given that the property has one bathroom/toilet, one kitchen and a lounge, it is perfectly possible that it has been previously occupied in a communal fashion.

Character: No extensions or alterations are proposed as part of the development therefore the development will not have an impact upon the external character of the dwelling or appearance of the wider locality.

Amenity: This policy sets out a number of criteria that define acceptable forms of development. The property lies adjacent to one other residential property (which is on Railway Road) and opposite the Remploy factory site. It is detached and separated from the adjacent residential property by a modest garden/driveway. The next nearest residential properties lie opposite Stansty Road, a relatively busy highway. There is no reason to believe that the occupation of the house by up to 8 people will cause significant noise or disturbance to nearby occupiers. Public Protection have confirmed that there have been no complaints received about the property since 2005. If tenants do cause excessive noise, this will be a matter for the landlord and/or Public Protection to address.

The property has a yard of just over 100 square metres in area. This includes a single parking space accessed from Stansty Road. The yard is sufficient in terms of size to provide a drying area, bin storage and amenity space for occupiers of the house.

Number of existing HMOs: Public Protection have advised that the adjoining residential property is a HMO and that there are a number of other such properties on Crispin Lane. Even if this proposal is granted, the majority of the residential properties in the locality will be non-HMO dwellings. The proposals will therefore not result in an overconcentration of HMOs in the locality.

Parking: LPG5 advises that HMOs should be provided with 1 parking space per 2 bed spaces provided on site, or if it causes no traffic problems, along the frontage of the premises. This translates into a maximum requirement for 4 spaces for this property. There is only 1 space within the site, therefore if occupiers require additional parking spaces it is inevitable they will park on-street. I believe that it is possible for some vehicles to park on Railway Road, (which adjoins the site) without compromising highway safety.

It is worth noting if used as a single family dwelling, the property is large enough to provide 4 or 5 bedrooms. Local Planning Guidance 16 (Parking Standards) would allow a maximum of 3 or 4 spaces respectively. Using the

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property as a HMO is therefore unlikely to result in a significantly greater demand for on-street parking than were the property were a dwelling occupied by a single family. In any case, due to the location of the site, I do not consider it necessary for the maximum standard to be provided. The site is approximately 500m from the Plas Coch Retail Park, which includes a large supermarket, and just over 1km from Wrexham town centre, Wrexham General Station and Wrexham Bus station. The property is also around 500m from the Glyndwr University – which is relevant because it is currently occupied by students (and the application forms state it is leased to Glyndwr University). The occupiers of the property therefore have access to a range of services and facilities without needing to drive.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.
2. The rooms shown as being a lounge and a kitchen on the approved plans shall be retained as communal areas and there shall be a maximum of six bedrooms in the property.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. In the interests of the amenity of occupiers of the house.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.
