

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

APPLICATION NO:
P/2019 /0837

LOCATION:
58 FFORDD GLYN WREXHAM
LL13 7QW

DATE RECEIVED:
12/11/2019

COMMUNITY:
Offa

DESCRIPTION:
CHANGE OF USE OF EXISTING
DWELLING INTO 4 NO. ONE BED
SUPPORTED LIVING UNITS WITH
STAFF FACILITIES

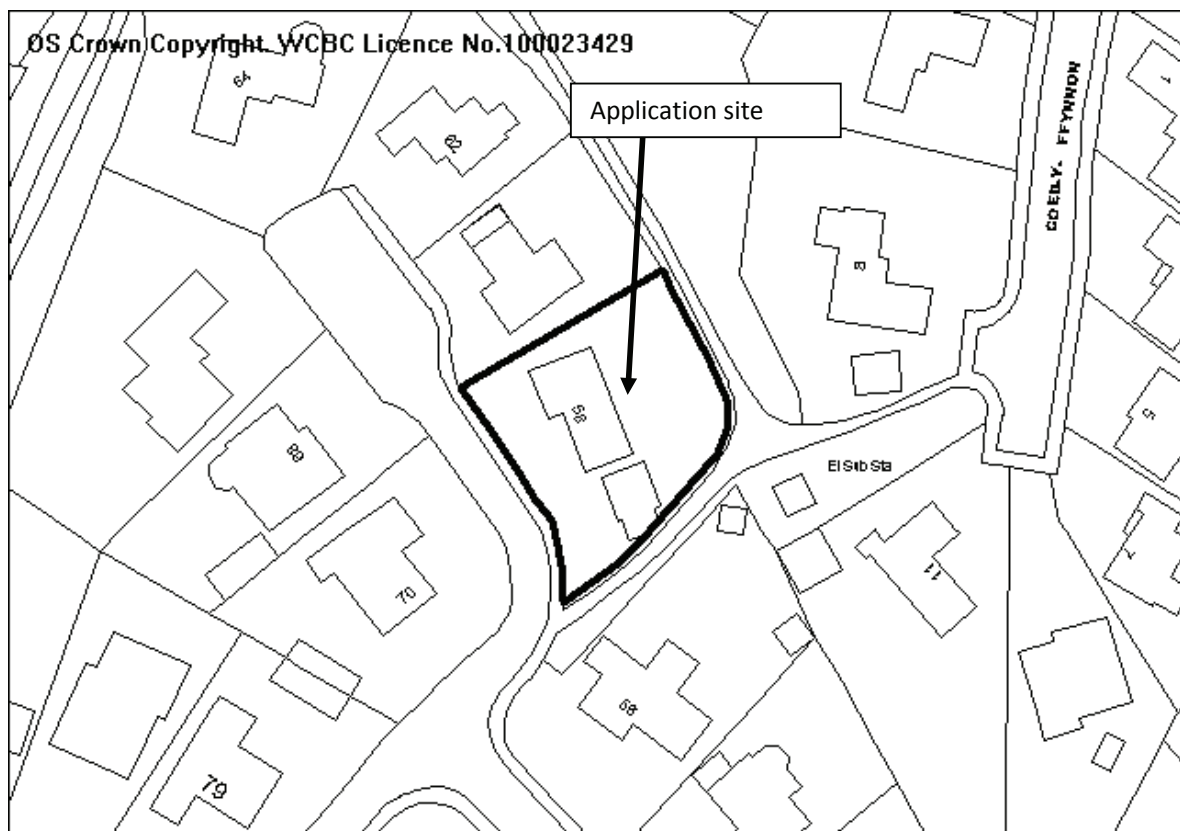
CASE OFFICER:
MP

WARD:
Erddig

AGENT NAME:
AINSLEY GOMMON
ARCHITECTS

APPLICANT(S) NAME:
MR ALUN THOMAS
FIRST CHOICE HOUSING
ASSOCIATION LTD

THE SITE



PROPOSAL

As above.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

HISTORY

P/2000/0159 Formation of pitched roof over existing flat roofed area and utility room extension. Granted 21.3.00

P/2003/1115 Construction of new double garage and conversion of existing garage into kitchen. Granted 6.11.03

DEVELOPMENT PLAN

Within settlement. Policies PS1, GDP1, H4 and T8 apply.

CONSULTATIONS

Community Council:	No comment.
Local Member:	Notified 14.11.2019
Highways:	No objections subject to conditions.
Public Protection:	No comments
Site Notice:	Expired 10.12.19
Neighbours:	The owners/occupiers of 9 nearby properties notified 19.11.2019 143 objections received. The concerns expressed are summarised below: • Not acceptable for the types of residents who might be housed in the property to be in a private residential area; • Potential background of tenants; • Not in keeping with the area. There are no HMOs or flats in Coed y Glyn; • Lack of facilities and public transport nearby and the distance to town; • Loss of a family home; • Landlord wanting to maximise profit; • No notices or consultation has taken place; • Changing a private property into a commercial business; • Increase in traffic; • Increase in parking/insufficient parking; • Highway safety; • Crime; • anti-social behaviour • Change the character of the estate; • Change to the fabric of the community; • Devaluation of house prices; • Impact upon freedom of children living close by; • Vulnerability of widows; • Property situated alongside footpaths used by local residents and others to access Erddig

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6th January 2020

Park. The footpath is also used by emergency services;

- More suitable properties elsewhere in the Borough;
- Safety of children due to additional traffic;
- Safety of pedestrians due to additional traffic;
- Restrictive covenant limits the use of plots to that of a single detached dwelling;
- Who will monitor who will be resident of the property;
- Will the property revert to a private home if it is apparent the property is not suitable;
- Not compatible with the area/existing uses;
- Sets an undesirable precedent;
- Significant changes to the appearance of the property;
- Reviews from people living next door to housing association buildings is very negative;
- Noise and disturbance;
- Large numbers of personnel visiting, working and living at the property;
- Potential issues with maintenance and repair of the property.
- Whether the tarmac area will be SuDS compatible;
- Potential for the property could be let/sold as individual flats or converted to a HMO in future;
- Noise pollution and carbon pollution could drive out animals and other creatures from their habitats;
- Disruption to a student studying for exams;
- Potential conflict of interest;
- Safety of using the adjacent footpaths;
- Safety of school children;
- Impact upon quality of life of existing residents;
- Increase in carbon footprint due to increased use of cars;
- Conflict with UDP;
- Width of the road;
- Proximity to 90 degree bend;
- Overbearing;
- Privacy;
- More pollution;
- Problems for refuse collection;
- Multiple refuse bins - unsightly

SPECIAL CONSIDERATIONS

Background: The development is a partnership project between Wrexham County Borough Council and First Choice Housing to deliver housing for adults with disabilities. First Choice Housing are a housing association who works in partnership with local authorities across Wales and in Shropshire to provide specialist housing to individuals with specific needs. They are proposing to convert the existing dwelling to 4 self-contained apartments to provide supported living to meet a requirement to house 4 tenants with disabilities. Each apartment will be single occupancy. There will also be areas of shared space to enable tenants to actively engage with each other and support staff as well as for support staff to rest. The housing association will be responsible for all maintenance and repairs.

Local authorities have a statutory responsibility to house people with disabilities in appropriate accommodation within their communities. Four tenants have been identified to live at 58 Ffordd Glyn who require 24hr support to live independently in their own home. The tenants will all receive support from a support provider commissioned by the County borough Council. The number of support staff is dependent on the needs of each tenant but based on the Adult and Social Care's experience of similar accommodation elsewhere in the County Borough, it is likely that there will be 3 staff on duty each day with sleep-in staff covering the night-time period, a staff bedroom being provided for that purpose.

The Council maintains a disability housing waiting list. This currently has around 40 individuals waiting supported living accommodation in the County Borough and as such there is a clear need for additional supported living accommodation to be developed. All of the individuals on the waiting list are residents of the County Borough.

Wrexham has its own comprehensive disability housing process for supported living accommodation. Applicants for supported living are required to complete an application to apply for supported housing and then assessed and banded in accordance with needs / eligibility. Applicants are also reviewed to determine the required housing and support model before being considered for vacancies in existing accommodation or planned new developments. The County Borough Council enters into a formal management agreement with the registered social landlords that provide supported living accommodation. This provides the Council with full nomination rights for allocating supported living tenancies across the County Borough.

Policy: Policy PS1 directs residential development to sites within settlement limits. The site lies within an established residential area within the settlement of Wrexham. Wrexham is the principal settlement within the County Borough and offers a wide range of services, therefore in principle this is an entirely appropriate location for residential development. Proposals for

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

supported living are not subject to any additional policy requirements over and above those that apply to other forms of residential development.

Policy H4 is applicable and allows for the subdivision of dwellings where:

- a) sub-division is possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling; and
- b) proposals accord with Policy GDP1; and
- c) adequate private open space is available;
- d) the proposal would not result in the over-concentration of Houses in Multiple Occupation to the detriment of crime levels, the social fabric of the area, and the amenity of existing residents.

Dealing with each of the above in turn:

a) Extent of extensions/alterations

The existing and proposed front elevations are shown below:



The alterations to the property are summarised below:

- Alteration and extension to the existing detached garage. The extension will be erected in place on an extant lean-to;

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

- The erection of a single storey flat roof link between the garage and the dwelling, incorporating a covered entrance;
- The provision of a covered entrance (i.e. open sided porch) to the existing main entrance;
- Enlarging three windows in the front elevation;
- Reduce the size of two windows to the rear elevation and enlarging of one window;
- Blocking up of an existing door and the opening of a new door opening in the north-west facing elevation;
- Internal alterations to provide 4 flats together with a communal/staff area and staff bedroom.
- The provision of a new access and parking space adjacent to the north-western boundary.

The extensions are comparatively modest in size and will result in an 8% increase in the floor area of the property. Taken together with the other alterations they will not significantly alter the external character of the building.

b) Compliance with policy GDP1

I will comment in matters such as amenity and parking separately.

c) Private open space

The property has a secure and private rear garden area of approximately 290 sq.m – see site plan below.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020



The garden area will be a shared area by the occupiers of each of the 4 flats. The garden significantly exceeds the 10 sq.m of private amenity space per flat recommended in LPG21 and is therefore sufficiently large to provide for the amenity of the occupiers of the development as well as cater for bin storey and external drying.

d) Concentration of HMO properties

The proposed development is **not** a House in Multiple Occupation (HMO). In a HMO, occupiers would share one or more of the following basic amenities:

- a) A toilet;
- b) Personal washing facilities;
- c) Cooking facilities

Each flat will have its own bathroom, including a WC and 3 out of the 4 flats have their own kitchens. The occupiers therefore do not need to share basic amenities. The proposal seeks to subdivide the property from a single Class C3 unit into 4 self-contained Class C3 units.

The proposed floor plans include a kitchen/utility room, shower room and lounge separate to those provided in each of the flat. There is also a staff

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6th January 2020

bedroom. These are integral to provision of the support that the occupiers will be provided with to assist them living independently.

The UDP does not contain any specific policies regarding the concentration of flats, whether provided as general housing or supported living. Whether proposals for flats are acceptable are therefore dependent upon compliance with policies GDP1 and T8.

Impact upon the character of the area: The application site is located in a housing estate containing single storey and two storey detached dwellings. The fact that there are no flats within the wider estate at present does not, in itself, mean the development will be at odds with or detract from the character of the area.

In terms of the character of the use itself, the property will not be occupied more intensively than it could be under the existing use class. The fact that there will be carers in attendance also does not necessarily set the proposals apart from the existing permitted use.

Class C3 use is defined as follows:

The use of a dwelling house, (whether or not as a sole or main residence) by:

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

The property has 4 bedrooms at present so could easily be occupied by a household of 5, including a household where one or indeed where all of the residents require full time care. By comprising the application proposed 4 x 1 bedroom single occupancy apartments along with provision for carers.

Whilst I appreciate carers will arrive and leave when their shifts begin and end, I do not consider this will result in a degree of activity that would be unusual within a residential area. Indeed the level of activity associated with the use is likely to be broadly comparable to that associated with a dwelling occupied by a large household, a property where one or more occupiers works shifts and/or a property where one or more occupiers requires care.

I have already commented earlier in the report that the alterations and extensions to property will not significantly alter its character. Indeed the external changes are not exceptional being comparable to works a householder would choose carry out. The external changes to the building will not materially alter the character of the street or wider locality.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

The property currently has a driveway capable of accommodation up to 4 vehicles. The proposals would add a second driveway adjacent to the north-western boundary capable of accommodating 2 further vehicles parked in tandem, one located alongside the dwelling, the other in front of it. This could potentially result in 5 vehicles being parked within the site frontage. Two areas of front lawn will be retained, one separating the existing and proposed driveways ensuring this does not result in large continuous expanse of hard surfacing. The potential for there to be 1 additional vehicle parked in front of the property will not significantly alter the character and appearance of the site in this instance nor will it materially or adversely impact upon the wider street scene.

I note concerns have been expressed about the proposals potentially setting a precedent for similar proposals elsewhere in the estate, however this application must be considered on its own merits. Taking account the matters discussed above of the above, the intended use of the property will not be harmful to the character of the area and as such it accords with policy GDP1(a).

Amenity: The external alterations to the window and door openings described earlier in the report will not result in any additional overlooking of neighbouring properties than would be the case at present.

The link extension between the house and the garage is not of a size that will result in loss of light or prove overbearing to nearby occupiers. The door into it will be glazed but will serve an entrance lobby which not classed as a habitable room. In any case, it will come no closer to the dwellings opposite nos.68 and 70 Ffordd Glyn, than windows serving habitable rooms in the existing dwelling. I am therefore satisfied it will not adversely impact upon the standard of privacy afforded to nearby occupiers.

The conversion of the detached dwelling will introduce windows into the front elevation serving habitable rooms, however the distance to nos.68 and 70 Ffordd Glyn is in accordance with LPG21 advice and will therefore not result in loss of light, privacy or prove overbearing. The relative position of the application site to no.56 Ffordd Glyn will ensure that the extension to the garage will not give rise to loss of light or prove overbearing. The position relative position of the two properties together with the fences that enclose their boundaries of both properties will ensure the development will not adversely impact upon privacy.

I have no reason to believe that the use of the property will give rise to significantly greater levels of noise than could occur were the property occupied by a family of 4 or 5. Whilst I appreciate that there will be carers arriving and leaving at the beginning and end of their shifts, this could equally be the case if the house were to remain a single dwelling where one or more of the occupiers care.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

The additional driveway will result in vehicles parking adjacent to the boundary with no. 60 Ffordd Glyn, however this arrangement is not uncommon in a residential area and I consider it unlikely that the number of vehicle movements would be such that it will give rise to a degree of noise that impacts significantly upon the standard of amenity afforded to the occupier of the neighbouring property.

Highways: As acknowledged above, carers will arrive and leave when their shifts end and leave, however this is unlikely to result in a materially greater volume of traffic using Ffordd Glyn than were the property occupied by a large household and/or if one or more occupiers of a single household required care. Highways have not expressed any concerns about the proposed new access or traffic generation therefore I have no reason to conclude the proposals pose a risk to highway safety.

The LPG16 maximum parking provision for the propose use is 6 spaces. The new driveway together with the extant one will be capable of accommodating 6 vehicles. Parking provision is therefore fully accordance with LPG16.

Other Matters: I have not been provided with any objective evidence that this proposal would result in or increase the risk of crime or anti-social behaviour in the area or threatens the safety of local residents and the users of the footpaths adjoining the site boundaries. Concerns of this nature are not unique to the type of development proposed and could equally apply to other forms of residential accommodation. Issues of this type relate to the particular occupiers of a building and not the use of the site, the latter being the matter for consideration in this application. Planning controls are concerned with the use of the land rather than the identity of the users. Nevertheless, I have set out earlier in this report that the development is intended to provide supported accommodation for individuals with disabilities. I have no reason to believe this will give rise to the issues the objectors have expressed concerns about.

Objectors have questioned how the property may be used/occupied if it is disposed of in the future. The use of the property as a HMO would require planning permission and any such proposal would be considered on its own merits in light of the policies and circumstances that apply at that time. The conversion of the property back to a single family dwelling could be carried out without the need for planning permission. Members are reminded that planning applications must be determined on the merits of the proposals before the Council and **not** on the basis of what might happen at some point in the future.

The Community Council has suggested conditions be imposed to make the permission personal and to require the property to revert back to a single family dwelling should the applicants dispose of it. Circular 016/2014 The Use of Planning Conditions for Development Management advises that conditions that restrict occupancy or make permissions personal should only be used where planning grounds sound can be demonstrates and where the

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

alternative would normally be refused. A condition that requires the use of the property to revert to a single family dwelling would, in effect, be granting a temporary planning permission. The use of such a condition would not be appropriate where a development accords with the provisions of the development plan and where it is clear that the development is intended to be permanent as is the case here.

The proposals accord with policies GDP1, H4 and T8 and the impacts arising from the use of the property as 4 apartments are unlikely to alter materially with a change of ownership, tenure or indeed tenants (which are outside of the scope of planning control in any case). Accordingly there are no sound planning grounds to impose conditions along the lines of those suggested.

Matters such as restrictive covenants or the impact of the development upon house prices are not material planning considerations.

CONCLUSION

Whilst I note the objections to the development I am satisfied that the development will not harm the character of the area, the amenity and safety of nearby occupiers nor is it likely to give rise to highway safety and parking problems. I therefore consider the development to comply with the relevant UDP policies.

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 development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 002, 007 Revision A, 008 Revision B and as contained within the application documentation.
3. The vehicular parking areas as shown on approved drawing(s) No(s). 002 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.

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.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date – 6 January 2020

3. To provide for the parking of vehicles clear of the highway in accordance with Policy T8 of the Wrexham Unitary Development Plan

NOTE(S) TO APPLICANT

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
