

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT
36 RHOSDDU ROAD WREXHAM**

COUNCIL'S STATEMENT OF CASE

PLANNING REF: P/2017/0749

PINS REF: 3190136

1.0 THE SITE

- 1.1 The appeal property is a terraced house fronting onto Rhosddu Road a short distance from Wrexham town centre.

2.0 PROPOSAL

- 2.1 The appellant is proposing to convert the property from a 5 bedroom dwelling into a 5 bedroom HMO with 1 tenant per room, thus falling within Class C4. There will be 3 bedrooms on the ground floor along with a shared bathroom and 2 bedrooms on the first floor with en-suite bathrooms. A shared kitchen is also provided on the first floor. In addition the appellant is proposing to convert the basement floor of the property into a separate one bedroom flat.

3.0 LOCAL PLANNING POLICY

- 3.1 The following policies of the Wrexham Unitary Development Plan are applicable to the appeal proposals:
- GDP1: Development Objectives
 - H4: Sub-division of dwellings
 - T8: Parking
- 3.2 The following supplementary planning guidance notes are applicable:
- Local Planning Guidance Note 5: Conversion of Dwellings to Houses in Multiple Occupation
 - Local Planning Guidance Note 16: Parking

4.0 THE COUNCIL'S CASE

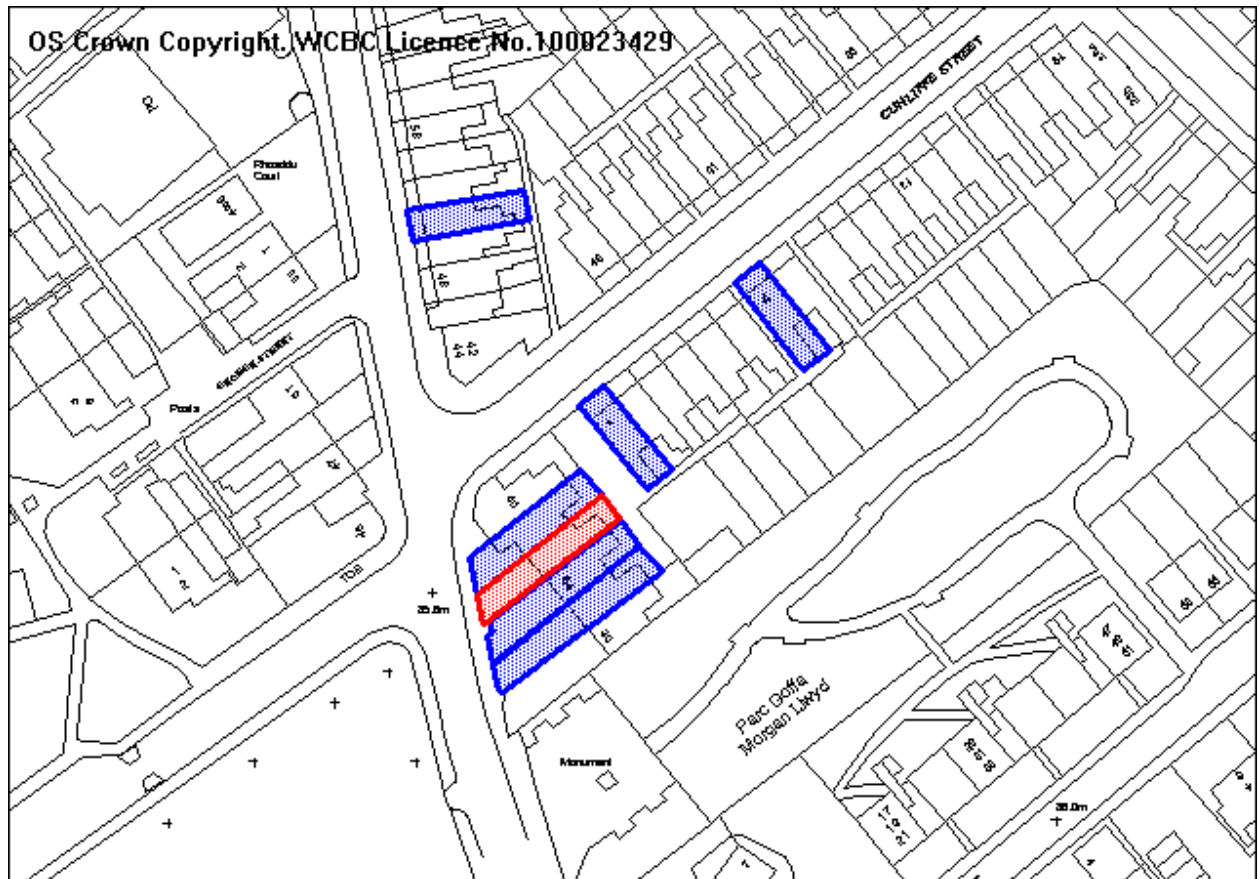
- 4.1 Policy H4 of the UDP allows for the subdivision of dwellings provided that:
- a) sub-division is possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling; and
 - b) proposals accord with Policy GDP1; and
 - 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.

Of the above, it is part d) which is directly relevant to the Council's case.

- 4.2 The appeal site is in a sensitive area. Rhosddu Road is a major arterial road into Wrexham town centre, there is a children's play area opposite and a disused cemetery to the south. The latter are the only

public open spaces for the people living in the surrounding terraced streets.

- 4.3 Within 50 metres of the application site there are 41 residential properties (including flats above commercial properties) of which 6 or 14.6% are HMOs at present. This would increase to 7 or 17% as a result of the appeal proposal. The distribution of HMOs in the vicinity of the site is illustrated on the map below. Existing HMOs are highlighted in blue and the appeal site is highlighted in red.



- 4.4 As can be seen from the map, the prominently positioned terrace of five properties which includes the appeal site contains 3 existing HMOs, nos 32, 34 and 38 Rhosddu Road. The dwelling to the rear of the site, no. 1 Cunliffe Street, is also a HMO and as such there is already a very high concentration of HMOs in the immediate vicinity.
- 4.5 The two HMOs either side of the appeal site are run by charities that house ex-offenders and recovering drug addicts. The HMO to the rear of the site has recently seen a tenant evicted for drug related matters.
- 4.6 There are already significant concerns about anti-social behaviour in the immediate vicinity, including drug taking in the streets, the park and cemetery. A Public Space Protection Order is currently in force to try to counter anti-social behaviour in the area. A copy of the PSPO is attached in appendix 1.

- 4.7 The conversion of no.36 to a HMO will result in an over concentration of HMOs in the immediate area and further exacerbate an existing imbalance between properties in use as dwellings and flats (Class C3 use) and those in use as HMOs. This has the potential to increase the likelihood of anti-social behaviour and crime in the locality, which in turn adversely impacts upon the standard of amenity afforded to local residents. It is also the case that HMOs tend to attract a more transient population who are less likely to contribute to the local community, thus adversely impacting upon the social fabric of the area. The Council therefore contends that the appeal proposals conflict with policy H4(d).

5.0 CONCLUSION

- 5.1 The proposed development would result in an over-concentration of HMO's within the immediate area of the site, to the detriment of crime, the social fabric of the area and amenity of existing residents. The development would therefore be contrary to Policy H4 (d) of the adopted Wrexham Unitary Development Plan. The Council respectfully requests that the appeal be dismissed.

APPENDICIES

Appendix 1:

Wrexham County Borough Council Public Spaces Protection Order 21 March 2016 to 20 March 2019.

Suggests conditions in the event of the appeal being allowed

Condition 1

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

Reason

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

Condition 2

The development shall be carried out in accordance with the following plans:

- i) RR/PD/02
- ii) RR/PD/04
- iii) RR/PD/05

Reasons

To define the scope of the planning permission.