

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
2 OCTOBER 2017

APPLICATION NO: P/2017 /0674	LOCATION: 61 REGENT STREET WREXHAM LL11 1PF	DATE RECEIVED: 07/08/2017
COMMUNITY: Offa	DESCRIPTION: CONVERSION OF EXISTING COMMERCIAL PROPERTY INTO 5 BEDROOM HMO	CASE OFFICER: KH
WARD: Brynyffynnon	APPLICANT(S) NAME: MR MARK WILKINS BLUSKY DEVELOPMENT LTD	AGENT NAME: CB ARCHITECTURAL DESIGN MR CRAIG BAUGH

THE SITE

Mid-terraced property located off the south western side of Regent Street, Wrexham and within the Grosvenor Road Conservation Area. The property is bounded by commercial / business uses.

PROPOSAL

Conversion of existing commercial property into 5 bedroom HMO.

HISTORY

None.

DEVELOPMENT PLAN

Within the settlement limit and the Grosvenor Road Conservation Area.
Policy PS1, GDP1 and EC7 refer.

CONSULTATIONS

Community Council:	Object on the basis that the property is located in a Conservation Area and the change to the frontage will have a significant detrimental impact on this important terrace of professional businesses on Regent Street and to introduce a HMO use into a traditional non-residential area of established businesses would not be in keeping with the Conservation Area.
Local Member:	Notified 15.08.2017.
Highways:	No objections with 6 spaces for parking available to the rear of the premises which is adequate. The site is located in a sustainable location.

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Public Protection:	Condition required regarding noise and construction work including dust management and a note to applicant requiring the owner ensures and application for a HMO licence.
WACS:	Consulted 15.08.2017.
NRW:	No comments.
Other representations:	3 letters of objection on the basis of the impact on existing commercial / business uses: - Object to the adverse impact on the appearance of an important townscape group and terrace within the Conservation Area; - Introducing Residential Accommodation / HMO into a professional commercial / office area which would be incongruous in nature; - Negative impact upon the amenity and occupiers of 59 – 65 due to rights of way and land ownership; - Concerned that clients who use the offices may feel uncomfortable continuing to use the business if they feel intimidated; - A residential property could result in unsightly non-business activities and sights. - Deliveries and supplies to the nearby dentist which involves frequent use of the front and rear entrance to the dentist with residents subjected to continuous traffic and patients passing windows of the proposed HMO. Vans will be reversing and manoeuvring in an already congested area. - Residents will be subjected to noise. - Allocated parking spaces for all businesses to the rear which are usually filled to capacity. Cars generally block each other in. Residents of the proposed HMO may try to use parking spaces allocated for other businesses. - If parking is full visitors will have no option to park on the street. Everywhere within walking distance is double yellow lines or restricted parking.
Site Notice:	Expired 11.09.2017.
Press Notice:	Expired 30.09.2017.

SPECIAL CONSIDERATIONS / ISSUES

Impact on the Character of the Conservation Area: Concerns have been expressed by neighbouring properties that the proposed works to the properties site frontage will have a negative impact and compromise the Conservation Area character.

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The building is located within the Grosvenor Road Conservation Area and has been identified within the adopted Conservation Area Character Assessment and Management Plan as part of an important townscape group. The assessment notes that the elevations of some of the buildings of the group have been regrettably altered and encourages the reinstatement of traditional features through the Development Control process.

The key impact of the proposals upon the character and appearance of the Conservation Area will be through the alterations to the front elevation. Currently the proposed works fail to ensure either the retention of existing features or the accurate reinstatement of those that have been previously removed. The proposals therefore fail to accord with guidance set out within the adopted assessment and fail to preserve or enhance the character and appearance of the Conservation Area.

In order to make the scheme more acceptable I have requested additional information from the applicant to provide additional drawings / details to ensure the proposed windows are acceptable in terms of design and materials and excluding the use of UPVC windows and rainwater goods. These details will be required prior to determination.

Highways: Highways have raised no objections. The proposed development site is accessed off Union Road which is a narrow, unclassified road (cul-de-sac) subject to a 30 mph speed limit, however, highways would estimate speeds of 10 mph given the geometry of the road.

The existing offices have 6 parking spaces to the rear of the site in a car park shared by adjoining businesses. Based on LPG Note 16, the existing offices would have required 7 parking spaces. In comparison the proposed 5 bedroom HMO would require a maximum of 2.5 (3). If all rooms were double beds then a maximum of 5 parking spaces would be required. In theory the development will result in a reduction in parking demand. Parking provision is acceptable and the site is located in a sustainable location with easy walking distance to public transport and the town centre. With regard to parking and noise to residents I would make the following comments. Whilst I appreciate cars may be blocked in on occasions that management of the car park will be a private matter for the various properties that have an interest in the car park. The potential for on-street parking problems in this area as a result of the development is low given the existing traffic regulation orders in place.

Concentration of HMOs: Policy H4 seeks to avoid over concentration of HMOs, however, this only applies to the change of use of dwellings to HMOs so it is not applicable to this proposal. However, I have regard to the concentration of HMOs in the immediate vicinity, with there being no HMOs within a 50m radius of the site.

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Conclusion: I am satisfied the proposals are acceptable, and comply with the relevant policies, provide adequate parking in a sustainable location and provide a rear area for waste disposal. Subject to the additional information in relation to the elevational works being provided, I am satisfied that the scheme will enhance the character and appearance of the Conservation Area. I would not anticipate the use having an impact on the adjoining commercial / business uses.

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 number of rooms shall be restricted to 5 and 1 occupant per room.
3. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 775/L (9) 01 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 and turning of motor vehicles at all times.
4. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.
5. Details of bin storage areas shall be provided prior to first occupation of the proposed building and retained thereafter in accordance with the details as are approved.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. In the interests of nearby amenity and highway safety.
3. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
4. To protect the amenities of the occupiers of nearby properties.
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NOTE(S) TO APPLICANT

The applicant is advised that compliance with condition no. 3 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

Your attention is drawn to notes numbered 1, 2, 3, 4 and 5 of the supplementary notes.

Housing Standards would have no objection to the application provided the owner ensures he/she makes an application for a HMO licence prior to the property becoming occupied as a HMO. HMO Licence application form and guidance is available at http://www.wrexham.gov.uk/english/council/housing/hmo_licensing.htm. The owner must also ensure that they comply with the new 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/>
