

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/H6955/A/17/3188092

DETAILS OF THE CASE

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Appeal By BLUSKY DEVELOPMENTS LTD

Site Address
I S P Architects
61 Regent Street
Wrexham
LL11 1PF

SENDER DETAILS

Name MR PHILLIP WYNN

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ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☐ Written Statement of Evidence
- ☒ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

In my capacity as County Councillor for the Brynyffynnon ward I wish to register my previously stated objection to the change of use of 61 Regent St, Wrexham for use as a House of Multiple Occupation.

I believe the applicants justification for the change of use (allow for the replacement of the aluminium windows and eradication of the lime facade) is somewhat tenuous as this work could be done at minimal cost whilst retaining its current class of use as an office, in a row of visually appealing and occupied commercial premises.

My concerns are as follows:

If the residential use of no 61 proves to be incompatible with the operation of the adjacent commercial businesses then there is a real concern in my mind that we could see a domino affect, whereby the adjacent properties will also be turned into HMO's, thereby losing an aesthetically pleasing and valuable row of commercial properties (which all benefit from the use of adjacent private parking spaces) which I suggest currently adds and not detracts to the streetscene of the Grosvenor Rd Conservation Area.

The frontages to the row of commercial properties are currently kept clear of clutter, this I would argue could not be guaranteed if consent was to be granted, as the frontages onto Regent St are in the ownership of these property owners, which all currently benefit from a secured planning consent to create gated private gardens in place of the paved area. This being the case I would suggest it could prove impossible for planning to prevent the appearance of temporary structures such as gazebos, benches, rotary drying lines etc to the front of no61, which understandably are in keeping with a residential use. This I believe would undermine the current commercial use of the adjacent properties. This surely would not result in an enhancement to the Conservation Area.

Having spoken with a number of the proprietors of the adjacent businesses it is apparent that they have invested in their properties in the belief that they were doing so in a row of properties which have compatible and complementary commercial uses. I am certain that their decisions to invest in the adjacent properties would not of taken place if the HMO had already existed.

It is understandable that the motives of the owner of no61 is driven by profit, rather than through a duty of care to provide accommodation for individuals whose state benefits/limited income restricts them to living in a HMO. If this was not the case then surely each occupant would at least be offered the dignity of access to en-suite bathroom/toilet facilities.

The applicant in his appeal submission puts forward the argument that the change of use would offer accommodation to people who want to live and work in Wrexham. At face value that may prove an acceptable reason. However after nine years experience as a town-centre ward member HMO's as proposed are more likely to attract residents of Wrexham who cannot afford anything more than the £65ish per week housing benefit payment, which is the going rate for a bedroom with shared kitchen/toilet and bathroom facilities and as such are individuals who due to personal circumstances are unable to hold down a permanent job and invariably present with challenging behaviour. If you are minded to accept this point then I believe it would not be reasonable to allow a change of class use for no61, whilst the adjacent properties are occupied by professional businesses.

At the planning committee I argued that the five individuals who were to take occupancy of no61 (some as their permanent home) should not be treated as second-class citizens by being denied access to an amenity space which is less than the standard set in WCBC's Local Planning Guidance 21 (Space around dwellings) which stipulates the need for a minimum of 50sq m of amenity space for any new build residential dwelling.

The amenity space to the rear of no61 falls well short of this standard and this is for a proposed occupancy by five adults and not by a family of three. This is the case even when assuming the two car-parking spaces immediately to the rear of no61 are removed.

As the application is for a change of use of a commercial building, as opposed to the the conversion of an existing residential dwelling means the property is a new dwelling and as such ought to provide the minimum of 50sqm of amenity space. To do otherwise would result in the occupants of HMO's being disadvantaged when compared with other classes of occupants i.e. Family units.

Whilst the car-parking for no61, which is set back from the building, can accommodate four vehicles it must be noted that they do so in tandem fashion which is not ideal. Also four vehicles can only be accommodated whilst the owners of the adjacent car-parks are prepared to leave the perimeters of their car-parks open planned. If perimeter fencing was to be erected then the width of no61's car-park would prove too narrow to allow for the opening of car doors.

The applicant argues that it is incumbent upon WCBC to police any approved HMO. That may well be the case but WCBC are facing further budget pressures of £13m over the next two years, so in reality the capacity to do so is diminishing as is the Council's Planning Dept's ability to enforce planning conditions.