

From: [REDACTED]
To: [Wales](#)
Subject: Welsh Government Ref/Planning Inspectorate ref: H6955/A/16/3166742
Date: 22 February 2017 15:06:02
Attachments: [Submission to Planning Inspeccotrte Wales re 10 Earle Street, Wrexham.pdf](#)
Importance: High

Dear Sir/Madam,

Town and Country Planning Act 1990
Section 78 Appeal at: 10, EARLE STREET, WREXHAM

Planning Reference: P 2016 0707

Site Address: 10, EARLE STREET, WREXHAM

Site Description:
Change of use from use class C3 (dwelling) to use class C4 (HMO)

Welsh Government Ref/Planning Inspectorate ref: H6955/A/16/3166641

Please find attached my submission as Council Member representing the Offa Ward on Wrexham County Borough Council in support of the Council's decision to refuse planning approval for the change of use of No 10 Earle Street, Wrexham from a dwelling to an HMO for a maximum of 6 residents.

The application is in the Erddig Ward, and I represent the adjoining Offa Ward, and I fully support Councillor Bob Dutton, who is the local member for the Erddig Ward in his opposition to the proposed change of use.

I would be pleased if you could send me a copy of the appeal decision letter when it becomes available.

Can you please acknowledge that you have received this e-mail?

Many thanks,

Yours faithfully,

R. Alun Jenkins,
Councillor Offa Ward,
Wrexham County Borough Council.

1, Maes Glas,
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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

Change of use from use class C3 (Dwelling) to use class C4 (HMO)
at 10, Earle Street, Wrexham

PLANNING REF: P/2016/0707

PINS REF: 3166641

Statement from R. Alun Jenkins,
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I write to you as Councillor representing the adjoining electoral ward to support the decision taken by Wrexham County Borough Council Planning Committee to REFUSE permission for the change of use from dwelling to HMO at 10, Earle Street, Wrexham. The result of this appeal will impact on all Wards around the town centre where most of the HMOs in the County Borough are situated, and allowing the appeal could limit the ability of the local Planning Authority to be able to manage their impact through the new C4 use class introduced by Welsh Government last February. I hope that when all the evidence has been considered and the evident concerns and views of the local community have been taken into account, Wrexham County Borough Council's decision to REFUSE the application will be supported, and this Appeal will be DISALLOWED.

10 Earle Street is a small three bedroomed end of terrace property adjoining the Earle's Court Warden Controlled Sheltered Housing accommodation for older people. It is located within the Salisbury Road Conservation Area. The application is for conversion into a 6 person HMO, which would have no access to off-street car parking.

Committee turned down the proposals on the strength of **Policy H4** which states that subdivision of a property will only be allowed if ***"d) the proposal would not result in the overconcentration of Houses in Multiple Occupation to the detriment of crime levels, the social fabric of the area, and the amenity of existing residents."***

May I please ask you to consider the following points:

1: Numbers of HMOs in an area:

In his "Grounds of Appeal" letter, the Appellant argues that his application should be approved because there is "low concentration of HMOs in the area". The published list of HMOs in the County Borough shows that around 10% of the houses in this part of town are either Mandatory HMOs or are registered under the Council's Additional Licensing Scheme, ranging from very low numbers in some streets, to over 70% in others. However, some of the most problematic HMOs are in streets where there are few HMOs, and there are few problems in many of the streets where the majority of houses are HMOs. The number of HMOs in any one street is not therefore the only criterion on which to judge whether a house should become an HMO.

2: Type of property and over-intensive use.

Certain types of properties such as small terraced houses do not lend themselves for conversion into HMOs, especially when too many tenants are then squeezed in. There is a huge impact for neighbours when what was a family home becomes occupied by a large number of tenants, and rooms on both floors become living rooms creating noise and disturbance for adjoining for adjoining family properties, at all times of day and night.

In particular, the impact that this change of use will have on the quality of life and well-being of the elderly residents at the Earle's Court Warden controlled / supported accommodation next door is of concern.

3: Quality of conversion.

Where HMOs provide very high standards of conversion, and house smaller numbers of tenants, they contribute positively to the local community. Those providing minimal standards can attract larger numbers of tenants whose often chaotic life styles have the greatest impact on the quality of life and wellbeing of the neighbouring community. Experience clearly shows that housing six such people in an HMO in a small terraced property can destroy the quality of life for all the surrounding residents, and can break up long established communities. This application falls into the latter category.

4: Parking.

The Maximum Standards in Planning Guidance Note 16 require three spaces for a three bedroomed property, and also requires the same number for an HMO housing six persons - one parking space for every two bed spaces. However, in his appeal decision on the HMO conversion of 62 Alexandra Road, the Inspector acknowledges ***"that the level of car ownership associated with 6 separate occupiers has the potential to be higher than a three bedroom property in C3 use, and that any parking would need to be provided on-street"***.

Earle Street is a very narrow road, with a layby fronting the apartment block opposite Earle's Court. There is already insufficient parking space in the street, a problem which extends into Fairfield Street, and is even more acute at night when most people are home from work. Six cars associated with a new HMO in the street would make the position intolerable.

Experience shows that in cases where HMO approvals have been limited by condition to occupation only by Students, there are generally fewer problems, as they tend to generate fewer vehicles, and the University is very proactive in tackling any complaints. Many HMOs that are not limited to Students house employed individuals whose works vehicles are parked in the surrounding streets, and so cause considerable problems.

5: Well-being legislation.

Consideration of well-being needs to be clearly balanced to ensure that the well-being of those in need of low cost rented HMO accommodation is not achieved at the expense of the well-being of long established and stable residential communities. Well-being legislation is intended to give quality of life to the whole of the population, and should not be applied discriminately to the advantage of any one group over others.

6: Welsh Government reasons for introducing the new C4 HMO use class

The independent report ***"Houses in Multiple Occupation: Review and Evidence Gathering"*** commissioned in May 2015 by Welsh Government to investigate "the effect HMOs can have on Communities" ***"found a clear need to take action to ensure the continued confidence of residents in areas of large numbers of HMOs, whilst also protecting the rights of those people residing in them."***

As a result, Welsh Government agreed new legislation to help Planning Authorities to manage the impact of HMOs. This introduced the new use class (C4) for HMOs occupied by not more than six residents, which came into effect on 25th February 2016, ***"to help Planning Authorities to identify HMOs and consider the impact those dwellings may have on the local area before deciding whether to approve the planning application."***

The Minister, Carl Sargeant said:

"HMOs make an important contribution to the private rented sector by catering for the housing needs of certain groups and provide accommodation for individuals who cannot afford to purchase properties or rent larger accommodation."

"This new legislation will allow planning authorities to take action to manage the number of HMOs in their local area."

"I hope this legislation will be welcomed by those local communities affected by high concentrations of HMOs across Wales and by local authorities."

In refusing this application for 10 Earle Street , the Planning Committee has done precisely what the legislation was meant to do - and the decision has certainly been welcomed by the local communities who now have the opportunity to be consulted on ALL future proposals for conversions to HMOs, and to make representations on them BEFORE a Planning decision is taken. If this application is granted on appeal , it will set a precedent, and there will be little prospect of any future HMO applications being refused. There will be a loss of public confidence as a consequence of the inability of the new legislation and use class to control the spread of HMOs, posing an increased *"significant and over concentration of this type of use in the immediate locality - to the (further) detriment of crime levels (antisocial behaviour), the social fabric of the area, and the amenity (and health and wellbeing) of existing residents"*.

This Appeal needs to be disallowed for all the above reasons.

R. Alun Jenkins,
Councillor Offa Ward

February 2017.