



**Bob Dewey
PLANNING**

SUPPORTING STATEMENT
PROPOSED AMENDMENT TO CONDITION
86 ERDDIG ROAD, WREXHAM

Background:

This statement accompanies an application to Wrexham County Borough Council to amend condition number 1 and to delete condition 2 on a planning permission ref P/2012/0185 granted by the Council on 22nd June 2012 for a change of use of use from single residential to House in Multiple Occupation (HMO) in retrospect.

The conditions/reasons given were:

1. The property subject to this permission shall be occupied by a maximum of 8 students at any one time.
2. The property subject to this permission shall be occupied by students only

(for both)

In the interests of highway safety due to the lack of on-street and off-street parking provision.

The application had been reported to the Council's Planning Committee on 30th April 2012 with a recommendation to approve subject to

1. The property subject to this permission shall be occupied by a maximum of 8 tenants at any one time.

The reason given was the same as for the two disputed conditions.

Report to Committee:

The Planning Office's report included a note of the Council's Highway Officer's observations:

"Parking standard for the proposed HMO is equal to that of a five bedroom dwelling (as was). As there is no change to parking requirements, no recommendations are made."

The Planning officer agreed that the HMO parking standard was met if the number of occupiers was limited to eight. He recognised that the site is "within walking distance of the town centre which would encourage reduced reliance on the car." He did recognise that student accommodation had been refused elsewhere in Wrexham due to parking issues.

His recommendation was to grant subject to the limit of 8 tenants.

Planning Policy

The Council's planning policies are set out in the adopted Unitary Development Plan. Policy GDP1 requires that "all new development should .. (be).. located where it has convenient access to public transport facilities.. wherever possible." Policy T8 requires that "development granted permission will be required to provide vehicle parking spaces either on site or nearby in accordance with the Council's current parking standards..."

Local Planning Guidance Note 16 adopted November 2011 sets out " a maximum (parking requirement) for new developments and changes of use and apply throughout the County Borough".

The standard for a house with 5 or more bedrooms is 4 spaces.

The standard for HMO is one space for two bed spaces.

The Welsh Government says:

"Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past".

Assessment:

Condition 2 is entirely superfluous and repeats part of condition 1 and it is not "necessary". It therefore fails the test laid down in the circular.

Condition 1 is not precise in that it does not define "student". This could include part-time students or anyone in full time employment attending an evening class, for example. It is therefore unenforceable and not precise and fails the tests in the Circular.

The Council's Planning Officer and the Highway Officer concluded that it is necessary to limit the occupancy of the premises to 8 tenants in the interests of highway safety. The applicant has no issue with that.

The Council's own parking standards are identical for HMO and Student accommodation. So, on highway safety grounds (the only reason put forward by the Council for imposing the condition), parking demand by tenants must be identical to use by tenants.

In any event, parking standards are said to be maxima. So a lesser number would meet the policy unless the Council were able to demonstrate that there was a particular issue in this case. Given the proximity of bus services (8 routes along Ruabon Road - 3 hourly, 4 half hourly and 1 irregular) linking the site to Wrexham Bus Station and to Oswestry, Cefn Mawr, Penycae/Rhos, Llangollen and Acrefair there is every likelihood that a resident of the site could find a service to serve their needs. A short walk with part being through the park leading to the railway station would also suffice. If ever there was site suitable for reduced parking this must be a strong candidate.

Conservation Area:

The proposal is intended to increase the viability of the property and will result in an upgrading of the building. This will provide an opportunity to enhance the character and appearance of the Conservation Area. Leaving it vacant or under used (which could result as student demand is reported to be falling) would harm the Conservation Area.

Other Comments:

Comments made by consultees suggested that there was an underlying concern that opening the property to occupation by “tenants” lead to more issues of poor behaviour and lack of engagement with the local community. Whilst some people may have had that perception, no objective evidence was supplied and it rightly did not form the stated reason for the Council’s decision.

There is a strong demand for a less rigidly drawn restriction on occupancy and this has been confirmed by the Council’s own Local Lettings Agency Manager.

He has indicated that, in his view, the make up of such tenants is likely to be much more varied which will surely enhance its suitability for fitting in with the community.

There has also been a suggestion that the property should be offered for sale as a single dwelling. This has been considered by the owners but it is thought to be impracticable.

Conclusion:

The Council is asked to amend condition 1 to relate to residents and to delete condition 2.

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5 August 2016
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Council’s parking standards

C3 Dwellings	1 bedroom	1.5 car space per unit	Sufficient space to provide at least 2 secure cycle parking spaces per dwelling. In the case of flats, this should be provided via safe and secure communal cycle parking areas.
	2 bedrooms	2 car spaces per unit	
	3/4 bedrooms	3 car spaces per unit	
	5 or more bedrooms	4 car spaces p	
Houses in Multiple Occupation	1 car space per two bed spaces	Provision for at least 2 secure covered cycle parking spaces per HMO via a safe and secure cycle parking area.	
Student Accommodation		1 car space per two bed spaces, and an area suitable for drop off/pick up either on site or close to the development.	1 cycle space per 5 bed spaces via a safe and secure cycle parking area.

Welsh Government Policy (PPW 8 Jan 2016)

8.4.2 **Car parking provision** is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. **Minimum parking standards are no longer appropriate.** Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan.