

From: [REDACTED]
To: [Wales](#)
Subject: Fw: Welsh Government Ref/Planning Inspectorate ref: H6955/A/16/3166742
Date: 21 February 2017 22:14:43
Attachments: [Consultation response - Highways.pdf](#)
[p 84 - Planning Report 86 Erddig Road - P-2012-0185 - April 30 2012.pdf](#)
[Submission to Planning Inspeccotrte Wales re 86 Erddig Road, Wrexham.pdf](#)
Importance: High

Dear Sir/Madam,

Town and Country Planning Act 1990
Section 78 Appeal at: 86, ERDDIG ROAD, WREXHAM

Planning Reference: P 2016 0783

Site Address: 86 ERDDIG ROAD, WREXHAM

Site Description:

Variation of Condition No 1 by replacing the word "students" with the word "residents" and removal of Condition No 2 imposed under planning permission code no P/2012/0185

Welsh Government Ref/Planning Inspectorate ref: H6955/A/16/3166742

Please find attached my submission as Local 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 conditions attached to the Planning Permission issued in 2012 to allow the use of No 86 Erddig Road as an HMO for a maximum of 8 students.

I attach also a copy of the original report to Planning Committee in April 2012, and a copy of the consultation reply provided by the Highways Officer to the Planning Application submitted in September 2016.

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?

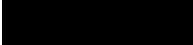
Many thanks,

Yours faithfully,

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

1, Maes Glas,

Court Road,
Wrexham LL13 7SN

Telephone 

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MEMORANDUM

From:	Service Manager Environment	To:	Head of Environment and Planning
Our Ref:	ENV/DC/PP/2016/0783	Your Ref:	KH/P/2016/0783
Date:	5 th September 2016		

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

Location: O. S Grid Ref: 332 497 86 Erddig Road, Wrexham.

Development: Variation of condition no. 1 by replacing the word “students” with the word “residents” and removal of condition no. 2 imposed under planning permission code no. P/2012/0185.

I refer to your consultation received on 22/08/2016 in respect of the above.

The proposed development site is located on the corner of Bath Road and Erddig Road which are both unclassified roads subject to a 30mph speed limit. However, I would estimate typical vehicle speeds at being around 20mph due to the geometry of the road

There are a significant number of residential properties in this area that have no off-street parking facilities. This results in a number of vehicles being parked on the carriageway in the vicinity of the development site and along the adjoining side roads.

LPGN 16 would normally require a maximum of 4 parking spaces for the original 5 bedroomed property. However, maximum standards would not normally be required for this property given its sustainable location. The property currently has no off –street parking provision.

The previously approved HMO (planning application ref: P/2012/0185) consisted of 8 no. bedspaces in 8 separate rooms. LPGN 5 would normally require 1 parking space per 2 bedspaces which would equate to a maximum requirement of 4 parking spaces.

It was therefore previously considered that the proposed development was unlikely to result in an increase in parking demand compared with its current residential use.

In terms of the current application, I comment as follows:-

I assume that the proposed property still comprises 8 separate bedrooms with 8 no. bedspaces. I assume that the proposed variation to the original consent still relates to a house in multiple occupancy (HMO) but with the option of accommodating students and / or simply residents. On the basis that the property still functions as a HMO, parking demand in respect of LPGN 5 / 16 guidance would not be considered likely to increase at the development site.

However, it may be viewed that non-students / residents are likely to be in full time employment and are more likely to own a car. In this instance, on-street parking demand at the site may well increase.

Supplementary Notes

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.



 Service Manager Environment

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

Community	Code No	Applicant	Recommendation	Page No
ISY	P/ 2011/0891	KINGMOOR PARK PROPERTIES LTD AND NORBERT DENTRESSANGLE	REFUSE	7 - 20
CEF	P/ 2012/0045	AIR PRODUCTS PLC MR J COVE	GRANT	21 - 34
CEF	P/ 2012/0050	MR ANTHONY WILLIAMS	GRANT	35 - 41
MIN	P/ 2012/0112	TOMLINSONS DAIRIES PN & JA TOMLINSON	GRANT	42 - 51
HAN	P/ 2012/0147	MR JIM DIMELOW	GRANT	52 - 56
COE	P/ 2012/0163	MR KARL JONES	GRANT	57 - 65
MIN	P/ 2012/0168	MS AMY MANNING	REFUSE	66 - 68
GRE	P/ 2012/0174	MR ROBERT WALLS	GRANT	69 - 73
WOR	P/ 2012/0191	MR & MRS RF BROAD	GRANT	90 - 93
GRE	P/ 2012/0194	MR A KERSHAW	GRANT	94 - 98
MAE	P/ 2012/0208	MR M BROWNRIGG	GRANT	99 - 101

Total Number of Applications Included in Report: 14

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REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT-
30 April 2012

APPLICATION NO:
P/2012 /0185

LOCATION:
86 ERDDIG ROAD WREXHAM
LL13 7DP

DATE RECEIVED:
13/03/2012

COMMUNITY:
Offa

DESCRIPTION:
CHANGE OF USE FROM SINGLE
RESIDENTIAL TO HOUSE IN
MULTIPLE OCCUPANCY (HMO) (IN
RETROSPECT)

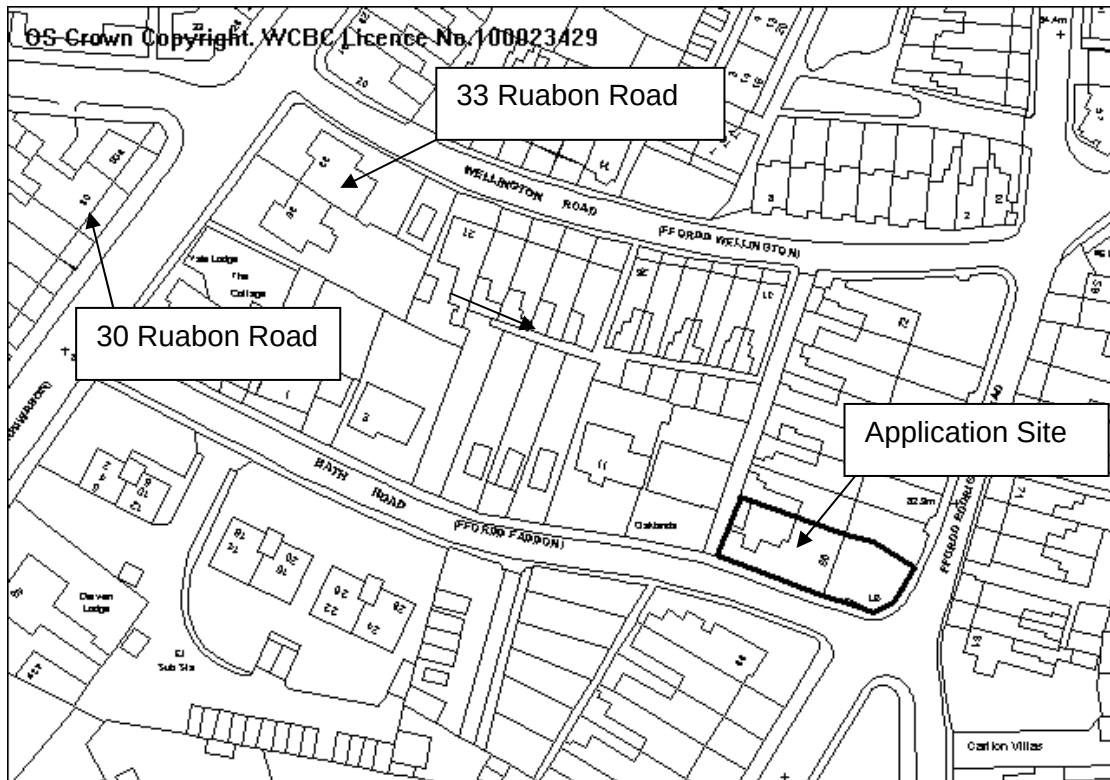
CASE OFFICER:
SEH

WARD:
Offa

APPLICANT(S) NAME:
MRS KATIE SHIELD A & K
PROPERTIES

AGENT NAME:
A & K PROPERTIES
MRS KATIE SHIELD

THE SITE



PROPOSAL

As above.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
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HISTORY

No history.

Other planning applications for HMOs nearby:

No 30 Ruabon Road

P/2010/0310 Change of use from residential to house in multiple occupation (in retrospect). Pending

No 33 Ruabon Road

P/2012/0184 Change of use from residential to house in multiple occupation (in retrospect). Pending

DEVELOPMENT PLAN

Inside settlement limit and Fairy Road Conservation Area. UDP Policies PS2, GDP1, H4, EC7 and T8 apply. Local Planning Guidance Notes Nos. 16 'Parking Standards' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:

Object for the following reasons:

- similar application for no. 30 Ruabon Road has not been determined;
- over intensive use of the building. Number of rooms is more than the building can cope with given the requirements for communal facilities;
- no provision for on-site parking and there is parking problems in the area;
- Not DDA compatible;
- Noise nuisance to adjoining residents;
- Fire hazard with such over intensive occupation;
- This is a Conservation Area and applications of this nature change the character to the detriment of the local area.

Local Member:

Councillor Jenkins objects:

- The number of rooms suggested, most of which are double rooms is more than can be satisfactorily accommodated in former (probably) four bedroomed terraced properties. This would provide accommodation for up to 14 people in each property, even though the Access Statements indicates that the accommodation is

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

for 9 residents (or 10 in 30 Ruabon Road). It is unlikely that the sizes of most of the proposed bedrooms - and the communal facilities within the buildings - would be acceptable if so many were used as double rooms.

- There is no provision for on site parking, and there is already a major parking problem in the area, especially at night, where there are already insufficient on street parking places for the numbers parking in the area. The local area cannot cope with so many additional vehicles.
- The overcrowded properties would be a fire hazard, and a danger to the residents and to adjoining properties. There is also the problem of noise nuisance to adjoining and nearby properties, with so many temporary residents in the terraced properties.
- The properties are in the Conservation Area - where the intention is to "preserve and enhance" the strong traditional characteristics, rather than to change the character so drastically.
- The proposal does not appear to be DDA compatible.
- 4 Brook Street refused and dismissed on appeal due to lack of parking. Since then the Council has reviewed parking policy and requires one space for every two bedroom spaces;
- Evidence that the need for student accommodation is on the decline;
- Conversion of houses into student accommodation is having a seriously detrimental impact upon the community life in residential areas such as Offa Ward.
- The statement that "there are numerous parking spaces and never any difficulty in location a space..." is not the case. The roads are narrow and vehicles have been damaged due to numbers seeking parking.

Highways:

Parking standard for the proposed HMO is equal to that of a 5 bedroom dwelling (as was). As there is no change to parking requirements, no recommendations are made.

Wrexham Access Group:

Consulted 15/03/2012

Public Protection:

No comments.

WACS:

Consulted 15/03/2012

Site Notice:

Expired 10/04/2012

Other Representations:

Four letters of objection received:

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

- The HMO has been in operation for a number of years and, along with other occupiers of other properties parking on Erddig Road, causes problems with on-street parking availability;
- There are already other HMOs locally and the occupants of these properties converge on Erddig Road to the detriment of local residential amenity. This goes on until early hours and results in an increase in noise, litter and broken glass. The police have been called to break up these gatherings on a number of occasions;
- The property is not well maintained and there is graffiti on the outside walls. If the property was occupied privately then this would not happen and the graffiti would be removed;
- Impact upon the community;
- This is a Conservation Area and applications of this nature change the character to the detriment of the local area;
- To create a situation where so many houses in one street are occupied by temporary residents is likely to compound the existing problems.

SPECIAL CONSIDERATIONS/ISSUES

Policy: Policy H4 allows for the subdivision of dwellings where:

- 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; and
- 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.

Dealing with each of the above in turn:

a) Extent of extensions/alterations

No extensions or external alterations are proposed;

b) Compliance with policy GDP1

I will deal with issues of amenity and parking separately;

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

c) Private open space

The property has a secure and private rear garden area of approximately 120 square metres in area. The minimum requirement for a house of this size is 50 square metres and so there is adequate open space here to provide occupiers with an amenity area, an external drying area and storage area for bins. There is also secure cycle parking on-site.

d) Concentration of HMO properties

The existing lawful use of the property is as a dwelling house or Class C3 under the Town and Country Planning (Use Classes) Order 1987. Class C3 permits the use of the building as a normal family home or as a shared house provided it is not occupied by more than 6 people who live together in a similar way to a family – for example by having shared living room, kitchen and bathroom. If a house is shared by more than 6 people who form more than one household then the use of the premises will normally fall outside of Class C3 and be classified as a House in Multiple Occupation (HMO), a 'sui generis' use for which planning permission is required.

Licences from the Council are also required under the Housing Act 2004 to use a dwelling as a HMO. However the definition of a HMO for the purposes of that Act does not directly correspond to a HMO for the purposes of planning control. Therefore a dwelling occupied as a shared house or HMO which is subject to licensing under the Housing Act 2004 will not automatically also require planning permission. The purpose of licensing is to ensure a dwelling is suitable for use as a HMO and is well managed rather than to control the number of HMOs in a given area.

In considering this application against policy H4 I have not considered whether there are other properties being used as student/shared houses by 6 or fewer people because these fall within Class C3 use and are not subject to a requirement for planning permission. It is also worth noting that even if planning permission were refused for this application it would not prevent the property being used as a shared house or a HMO as defined by the Housing Act 2004. The property could, for the purposes of planning control, remain in use as a shared house albeit with a lower number of occupants.

Within a 500 metre radius of this property there are 3 properties with HMO licences that permit the dwellings to be occupied by more than 6 people – the threshold where planning permission is normally required. In addition there are 6 properties with licence applications pending (one of these is no.30 Ruabon Road) also has a planning application pending ref P/2010/0310. Finally there is also a planning application pending for another HMO at no.33 Ruabon Road (P/2012/0184) which is less than 100 metres from this site.

If all pending planning and licensing applications within are granted (including this one) it will bring the total number of HMOs that can be occupied by more than 6 tenants to 11 within a 500m radius. This represents a very small percentage of the total housing stock in the area therefore I do not believe this

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

represents a significant or over concentration of this type of residential use in the immediate locality.

Amenity of existing residents: The use of the premises as a HMO will not impact upon the privacy or visual amenity of nearby occupiers particularly as no external alterations or extensions are proposed.

The fact that the property has adequate garden space for use by the occupiers as well as space for bin storage should assist ensuring the use of the premises does not prove disruptive to nearby occupiers.

The fact that a property can be occupied by up to 12 people (based on the number of bed spaces provided) does not necessarily mean that occupiers either individually or collectively will generate significant noise or other disturbance. There is the potential for any number of occupiers of a property to be noisy irrespective of whether the premises are used as a HMO. If tenants do prove disruptive, this is a matter for the landlord and/or Public Protection to address.

Parking: The floor plans of the property suggest it could easily be used as a 5 bedroom dwelling which, based on LPG16 advice, would be allowed a maximum of parking 4 spaces. The property has no dedicated off-street parking and, as with many other properties along Erddig Road and neighbouring streets, occupiers with cars are reliant on on-street parking.

LPG16 advises that the maximum parking standards for HMOs is 1 space per 2 bed spaces which equates to a maximum of 4 spaces if the dwelling is occupied by 8 tenants. However as 4 rooms are double rooms the number of potential bed spaces is 12 equating to 6 parking spaces.

It is therefore necessary to restrict the number of residents to 8 no. in order to safeguard against an increase in parking demand when balanced against the use of the building as a single dwelling. The site is within walking distance of the town centre, a wide range of retail and leisure facilities as well as frequent public transport which will encourage reduced reliance on the car as a means of transport.

Conservation Area: There are no external changes proposed and as such the proposals accord with policy EC7 in so far as they preserve the character of the Conservation Area.

Other Representations: Issues such as the suitability of the internal communal spaces and of fire safety provision are dealt with under the licensing process and therefore lie outside of the scope of planning control.

Whilst I am aware that parking issues have resulted in proposals for student accommodation being refused elsewhere in Wrexham, each application is dealt with on its own merits. I have dealt with issues of parking above and

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

explained why, in this instance, it is unlikely that the development will cause or increase parking issues.

The Council has no planning policy requiring applicants to demonstrate the level of demand for HMO accommodation. It is only possible to assess HMO proposals against adopted policy criteria to determine whether the use is acceptable.

Conclusion: I am satisfied that development will not materially detrimentally affect the character and appearance of the area, and that the proposal preserves the character of the conservation area. There will be no significant detrimental impact upon highway safety, social fabric of the area or local residential amenity and proposed change of use accords with local planning policy.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

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

REASON(S)

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

NOTE(S) TO APPLICANT

This permission does not by itself authorise the performance of any proposed acts of work materially affecting the external appearance of the premises, which proposals, if any, shall form the subject of a further submission to the Local Planning Authority.

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT–
30 April 2012

through ground fractures.

- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

Variation of Condition No 1 by replacing the word “students” with the word “residents” and removal of Condition No 2 imposed under planning permission code no P/2012/0185

at 86, Erddig Road, Wrexham

PLANNING REF: P/2016/0783

PINS REF: 3166742

Statement from R. Alun Jenkins,

Councillor representing Offa Ward on Wrexham County Borough Council

1, Maes Glas, Court Road, Wrexham. LL13 7SN

Telephone: Wrexham 352879

e-mail: alun.jenkins@wrexham.gov.uk

Many residents in my Ward approached me last August raising strong opposition to application P/2016/0783, which was seeking to change the conditions imposed in 2012, so as to allow other than Students to occupy the HMO at 86 Erddig Road, and expressing their concerns that the implications of this would be to exacerbate the already serious parking problems in the area. Their objections were submitted to the Planning Department, as were those of Offa Community Council, and there was relief in the area when the Council refused the application. Residents again contacted me this January when they heard that this Appeal had been lodged, and I believe that many local residents have already submitted their letters of objection to you directly, as have the Community Council. I fully endorse residents' concerns and fears, and **hope that Wrexham County Borough Council's decision to REFUSE the application will be supported, and that this Appeal will be DISMISSED.**

1: Background from 2012

Application P/2012/0185 for the change of use from Residential to HMO was submitted in March 2012 as an application in retrospect - the property having been used without valid permission for some time before that date. The application was reported to Planning Committee on the 30th April, when concerns were raised that there was already a proliferation and concentration of HMOs in the area, and that this additional HMO would have a detrimental impact on the predominantly residential area and on the character of the Conservation area. This application site like most properties in the area has no provision for off street car parking resulting in the congested nature of the existing highway network. Approving the application would increase on-street car parking to the detriment of highway safety and the amenity and well-being of residents in the area.

In addressing this matter, the Report to Planning Committee in April last year stated that *“The property has no dedicated off-street parking and, as with many other properties along Erddig Road and neighbouring streets, occupiers with cars are reliant on on-street parking.”* Local Planning Guidance Note 16 advised that as a five bedroomed property, the maximum standard would be for four parking spaces. As an HMO, the requirement would be one space for every 2 bed spaces. The report continues: *“However as 4 rooms are double rooms the number of potential bed spaces is 12 equating to 6 parking spaces. **It is therefore necessary to restrict the number of residents to 8 no. in order to safeguard against an increase in parking demand when balanced against the use of the building as a single dwelling.**”* As a result, the recommendation was for the approval of the HMO application, subject to the following condition: *“The property subject to this permission shall be occupied by a maximum on 8 tenants at any one time.”*

Planning Committee agreed a site visit, which was held on the 22nd of June. **The minutes of the Planning Meeting following the site visit record that:**

“During consideration of the application several Members commented upon the lack of available on-street and off-street car parking provision within the local area and suggested that, if the Committee was minded to grant permission, a further condition be included to limit the occupation of the property to student accommodation only. This was agreed by the Committee.”

The application was approved, subject to the two conditions now the subject of the current appeal:

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.”*

The HMO Licence for the property granted subsequently also limits the use of the HMO to eight students.

The Committee therefore justified their approval for the use of the No 86 as an HMO only on the basis of it being used by students (limited to a maximum of 8 students) because of their concerns about increased parking problems. Removing these conditions would therefore risk creating the increased parking problems which the Members of the Committee were so keen to avoid.

2: Application P/2016/0783 - August 2016 - Variation of Condition No 1 by replacing the word “students” with the word “residents” and removal of Condition No 2 imposed under planning permission code no P/2012/0185

As covered earlier, objections to this application were submitted by local residents and by Offa Community Council. Whilst recognising that the property has a valid approval for use as an HMO, it is quite clear that since the use was approved in 2012, the students housed in the property have had few cars, and there is considerable fear that this will not be the case in future of tenants other than students are permitted in the property.

In response to the consultation, the Highways section submitted their comments on the application - copy attached. In this, the Officer says:

There are a significant number of residential properties in this area that have no off-street parking facilities. This results in a number of vehicles being parked on the carriageway in the vicinity of the development site and along the adjoining side roads. . . .

The property currently has no off -street parking provision. The previously approved HMO (planning application ref: P/2012/0185) consisted of 8 no. bedspaces in 8 separate rooms. LPGN 5 would normally

require 1 parking space per 2 bedspaces which would equate to a maximum requirement of 4 parking spaces. (i.e. the same as the original five bedroomed family house, and unlikely to result in an increase in parking demand compared with its current residential use, and the reason the planning approval limited the use to a maximum of 8 students) I assume that the proposed property still comprises 8 separate bedrooms with 8 no. bedspaces.

However, it may be viewed that non-students/residents are likely to be in full time employment and are more likely to own a car. In this instance, on-street parking demand at the site may well increase”.

It has to be noted that the streets in the locality are extremely narrow, allowing cars to be parked on only one side of the road. There is great competition already for the limited number of on street parking spaces, especially at night when most residents are home from work.

The application was refused for the following reason:

To allow relaxation and deletion of the previously approved conditions would be likely to increase the demand for parking in the vicinity of the property and nearby side streets and result in increased congestion and highway danger to pedestrians and vehicle users. The proposals as such would be contrary to policy GDP1 (d) and Local Planning Guidance Note 16 Parking Standards.

3: Consequences of removing the “student only” condition:

The Agent acting for the applicant has submitted a breakdown of the numbers, but it is difficult to find justification for the figures he quotes.

The Council publishes the list of licensed HMOs, indicated which are Mandatory and which are Additional Licenses. Whereas the Council has information about each individual licensed property, the published list does not indicate the number of residents licensed at each individual address, or which are “student only”. There is certainly no information about car ownership in this or in any other sector of housing.

However, experience in the Ward shows very clearly that the “Student Only” condition has been the saving grace in many locations within the Ward, clearly showing that such HMOs cause fewer parking problems in the surrounding areas.

85 of the 316 registered HMOs in the County Borough are in the Offa Ward. Most of them are subject to the Additional Licensing Scheme, but of 28 Mandatory HMOs in the CB, generally larger units, 12 are in Offa Ward. One such property at number 2 Bath Road has 16 rooms, and houses mostly people from away from Wrexham, working on Contracts within the CB. Most of these have cars, and some have vans and lorries for which there is insufficient off street around the building, so have to park in Bath Road or other already overcrowded neighbouring streets. Other residents at this and similar properties work in deliveries or taxi driving using their own vehicles and adding to the parking difficulties.

At the other end of the spectrum, some HMOs certainly house residents who do not possess cars or cause parking problems, and contribute positively to the local community. However, experience in other parts of the ward again shows that some of these attract individuals with extreme personal problems of drink and drugs and antisocial behaviour, and their chaotic lifestyles that have a serious impact on the quality of life and well-being of the neighbouring community.

Either way, the consequence would have a significant negative impact on the Erddig Road area which is at the heart of the historic Conservation area. If HMOs are to be allowed in such locations, they are best limited to “student only” use. If student use is no longer viable, then the alternative must be to return

the property to use as a single residential property, or possibly to divide it into two flats which would not create an increased parking problem for the area, and would add to the amenity of the area and strengthen the local community.

In May 2015, Welsh Government issued its report on *"Houses in Multiple Occupation: Review and Evidence Gathering"*. They had commissioned the independent report to investigate "the effect HMOs can have on Communities." *"The report 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."*

Following this, Welsh Government introduced new legislation including the new C4 use class, to help Planning Authorities to identify HMOs and to manage their impact, and to *"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."

"However, as our independent report found, large concentrations of HMOs can bring their own problems to local areas. I hope this legislation will be welcomed by those local communities affected by high concentrations of HMOs across Wales and by local authorities."

The local community and Wrexham County Borough Council have clearly shown their appreciation of the new opportunities available to them. If this appeal is granted, and the "Student Only" condition is removed from this property, a precedent will be set, and it would not be possible to prevent the same changes to all the other properties where the restriction presently applies - and this would result in a spread of the parking problems, and a significant loss of public confidence.

For all the above reasons, this application to remove the "Student only" condition at 86 Erddig Road needs to be refused. Approval would add to the considerable parking problems already experienced in the surrounding area, would be "detrimental to the social fabric of the area and the amenity of existing residents". It is clearly necessary to balance the well-being of those in need of low cost rented HMO accommodation with that of the established and stable residential community. Well-being applies to the whole population, and must not be applied discriminately at the expense of any one sector.

This Appeal needs to be dismissed for all the above reasons, and the student only condition retained on this property.

R. Alun Jenkins,

Councillor Offa Ward

February 2017