Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

Appeal Decision

---

by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24.04.2026

Appeal reference: CAS-04730-H6Z7N8

Site address: 122 Rhosddu Road, Wrexham, LL11 2NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Natasha Ware against the decision of Wrexham County Borough Council.
- The application Ref P/2025/0440, dated 27 May 2025, was refused by notice dated 6 October 2025.
- The development proposed is a change of use from C3 (Dwellinghouse) to C4 HMO (for up to 4 people).
- A site visit was made on 14 April 2026.

Decision

1. The appeal is allowed and planning permission is granted for the change of use from C3 (Dwellinghouse) to C4 HMO (for up to 4 people) at 122 Rhosddu Road, Wrexham, LL11 2NG, in accordance with the terms of the application, Ref P/2025/0440, dated 27 May 2025, subject to the conditions set out in the schedule to this decision letter.

Application for costs

2. An application for costs has been made by Mrs Natasha Ware against Wrexham County Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issues are whether the proposal would provide an appropriate standard of amenity for future residents with particular regard to outdoor space and the proposal's effect on highway safety with particular regard to parking.

Reasons

Amenity

4. The appeal property is one of two mid-terrace dwellings in a short row, flanked on either end by commercial properties. It fronts onto part of the B5425 Rhosddu Road. Apart from a corner shop at the end of the adjacent terrace to the east, the immediate surroundings are predominantly residential. The proposal is to change the use of the dwelling into a small House in Multiple Occupation (HMO).

5. Recognising amongst other things that conversion may provide much needed smaller accommodation, Policy H4 of the Wrexham Unitary Development Plan (UDP) only permits the sub-division of dwellings subject to criteria. The Council's adopted Local Planning Guidance Note 5 'Houses in Multiple Occupation' (LPGN 5) provides additional guidance.

6. In relation to criterion a) of Policy H4, save for the installation of bird and bat boxes to meet ecological enhancement requirements in accordance with UDP Policy EC6, there would be no external alterations to the building, with internal works comprising the addition of ensuite bathroom facilities to the three intended bedrooms. A living space and separate kitchen and utility spaces would be retained. Accordingly, there would be no significant alteration to the character of the original dwelling.

7. Criterion d) of Policy H4 only permits the sub-division of existing dwellings where the proposal would not result in the over-concentration of HMOs. The parties agree that the appeal scheme would result in only 4 HMOs or a 7% concentration locally, as calculated in accordance with LPGN 5 guidance, well below the Council's 10% threshold above which it considers HMO can result in problems, including damage to social cohesion, and increases in noise, crime and anti-social behaviour. I have taken into account residents' concerns that there are a number of HMOs nearby which are unsightly and that another HMO will cause further deterioration. However, there is nothing before me, and I observed nothing during my site visit, to suggest that the appeal building would be subject to any less general maintenance or upkeep than other properties in the area. Concerns about the adequacy of room sizes and tenant numbers would be considered under separate licencing provisions.

8. I have taken into account local concerns about fly tipping and vermin. However, the Council accepts, and I saw during my site visit, that the available outdoor space could accommodate the required amount of refuse storage, cycle parking and drying areas to serve the intended development and has raised no concerns that it is not secure or could not be accessed by all intended users. Nonetheless, with regard to criterion b) of Policy H4, the Council maintains concerns regarding the availability of outdoor space to serve the proposal, asserting that once these measures were laid out, the remaining outdoor space would not be of sufficient size to provide adequate usable amenity space for the occupants of the property.

9. The appeal property's existing external rear yard, which I saw during my site visit is a long and narrow area, enclosed by the appeal building on one side, and a tall boundary wall on the other, and opening, via a pedestrian gate, onto a rear lane, measures approximately 20 sqm. The appellant acknowledges that the available space would be less than the minimum 50 square metres set out in the Council's Local Planning Guidance Note 21 'Space Around Dwellings' (LPGN 21). However, this is guidance for new development. Amongst other things, for dwellings being converted to HMOs that are to accommodate 7 or more tenants, LPGN 5 indicates that the Council will normally seek a minimum private external area of 30 square metres plus 2m² for every additional tenant in excess of 7. For existing dwellings that are to be converted to smaller HMOs, LPGN 5 recognises that it is likely that they will already have a curtilage that will adequately fulfil this function.

10. There would be no reduction in the amount of outdoor space already existing. In its current residential use as a three-bedroom dwelling, the appeal building could be occupied by a greater number of residents than the 4 tenants intended. Despite its size and narrow configuration, I consider that dwellinghouse residents and the appeal scheme's intended residents would be likely to utilise the outdoor space to accommodate bins and bicycles and other domestic paraphernalia, and for amenity purposes, in much

the same way. The available area for the number of tenants would be proportionate to the Council's minimum requirements for larger HMOs. Accordingly, the appeal scheme would not result in overdevelopment but would provide adequate private open space in accordance with criterion c) of Policy H4 taking account of personal safety and security in the design and layout of development and private spaces as required by UDP Policy GDP1.

11. I conclude that proposal would provide an appropriate standard of amenity for future residents with particular regard to outdoor space and so would comply with UDP Policies H4 and GDP1.

Parking

12. UDP Policy T8 says that development granted planning permission will be required to provide parking spaces at or near the site, in accordance with the Council's current parking standards. In accordance with Local Planning Guidance Note 16: Parking (LPGN 16), the Council says that the intended HMO would generate a requirement for 4 parking spaces, representing an increase in parking demand of one additional space over the maximum standard of 3 spaces expected for a 3-bedroom dwelling.

13. I saw during my site visit that the B5425 Rhosddu Road is a busy road and subject to double yellow lines locally, indicating that parking and waiting are prohibited at any time. No dedicated parking spaces would be provided as part of the appeal proposal. Accordingly, any future car-owning residents of the appeal scheme would be required to park elsewhere in the neighbourhood. The Council is concerned that the intensification of the use of the appeal property which is says would arise from use as a HMO would compound on street parking pressures, and which would unacceptably harm highway safety through indiscriminate and obstructive parking.

14. However, the Council has provided no substantive evidence, such as through any parking or traffic surveys or accident figures, to demonstrate that unacceptable parking pressures exist locally. The intended occupancy level of the proposal would be similar to that expected in a family dwelling. Notwithstanding LPGN 16 parking requirements, and whilst I have taken into account local residents' concerns about parking locally including an anecdotal account that access to the rear of properties has often been obstructed by cars parked by previous residents of the appeal property and a recent incident at East Road, there is no demonstrable evidence that the existing lack of parking space at the appeal dwelling has contributed, or is likely to contribute, to any significant parking concerns nearby.

15. Moreover, Policy T8 indicates that special regard will be paid to the availability of public transport nearby, the proximity to public car parking, and the proximity to local services and facilities in considering parking requirements. I saw during my site visit that there is a small pay-and-display car park nearby which could be used by visitors. There are also bus stops immediately to the east of the appeal site. As well as facilities locally, the site is close to services and facilities within the city centre. The Highway Authority, whilst acknowledging the appeal site is on a busy classified road, recognised its sustainable location and raised no objection on the basis that the appeal scheme accommodation would be likely to appeal to residents without a car. The Council's Committee report indicates a low demand for parking in that 2021 Census data shows that although 63% of households living in rented accommodation locally have access to a car or van, only a small minority (4%) households have access to more than two vehicles. However, 32% of households in the Ward do not have access to any vehicle.

16. I acknowledge the concerns of local residents that the nearby shop and hot food takeaway regularly generate indiscriminate parking. However, given the proximity of the

intended development to these establishments, residents of the appeal scheme would be unlikely to contribute to this existing issue.

17. I conclude that the proposal would not have an unacceptable effect on highway safety with particular regard to parking and so would comply with UDP Policy T8. It would also comply with criterion b) of UDP Policy H4 and UDP Policy GDP1 which requires, amongst other things, that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible, securing the development of sustainable communities, and by ensuring the safety and amenity of the public from the adverse effects arising from development.

Other Matters

18. The appeal site is located within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC) which is failing to meet water quality targets for phosphorus. However, Natural Resources Wales advises that amongst developments that can be screened out as not likely to have a significant effect on a river SAC in relation to nutrient inputs, as there is unlikely to be a source of additional nutrients or pathway for impacts, are those which do not increase the volume and concentration of nutrients in wastewater. The proposal would accommodate a commensurate number of residents as would be expected to occupy the existing dwelling. Accordingly, there would be no increase of discharges from the intended change of use and consequently no likely significant effects on the integrity of the SAC.

Conditions

19. I have taken into account the Council's suggested conditions with regard to the advice within Circular 016/2014 'The Use of Planning Conditions for Development Management' (the Circular).

20. Whilst I consider it would be necessary to limit occupancy to no more than 4 persons in accordance with the planning permission as sought, and to reflect the scope of the assessed amenity and highway safety effects, given that occupancy of the existing dwelling would not necessarily be limited to only 4 persons, it would not be reasonable to limit occupancy on the basis of effects on the SAC. It would be necessary to ensure that bin and cycle storage areas were made available in readiness for use by intended occupiers and thereafter retained for those purposes for the lifetime of the development. All developments are required to provide biodiversity enhancement in accordance with Policy 9 of Future Wales: The National Plan 2040 (FW) and I have included a condition to that effect.

Conclusion

21. For the reasons given and having taken all matters into account, I conclude that the appeal should be allowed.

22. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (WBFG Act). I have taken into account the ways of working set out at section 5 of the WBFG Act and consider that the findings of this Report are in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WBFG Act.

N Jones

INSPECTOR

Schedule of conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

   Reason - To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): • Proposed Elevation RRA/PD/04 • Proposed Floor Plan RRA/PD/03 Rev A • Green Infrastructure Statement and Net Biodiversity Benefit, 122 Rhosddu Road, Wrexham, LL11 2NG By Carl Hughes, Dated 13/08/25

   Reason - To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

3. The HMO shall not be occupied by any more than 4 persons.

   Reason – To define the scope of the permission in the interests of amenity and highway safety in accordance with policies EC14, EC6, H4, T8 and GDP1 of the Wrexham Unitary Development Plan

4. Prior to the first use of the building as a House in Multiple Occupation, on-site bicycle parking and bin storage facilities shall be provided in accordance the details shown on approved plan reference Proposed Floor Plan RRA/PD/03 Rev A. The facilities shall thereafter be retained and be available for use for the lifetime of the development.

   Reason – To assist occupiers/users of the development to make sustainable transport choices and provide adequate recycling and bin storage in accordance with Policy GDP1 of the Wrexham Local Unitary Plan.

5. Prior to the first use of the building as a House in Multiple Occupation, the measures to deliver net benefit for biodiversity (NBB) shown on approved plan reference Proposed Elevation RRA/PD/04 and detailed with approved Green Infrastructure Statement and Net Biodiversity Benefit, 122 Rhosddu Road, Wrexham, LL11 2NG By Carl Hughes, dated 13/08/25 shall be implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

   Reason - To ensure the development delivers net benefit to biodiversity in accordance with Policy 9 of Future Wales.