

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

APPLICATION NO: P/2019 /0398	LOCATION: 4 BRIDGEWAY WEST PENTRE MAELOR WREXHAM LL13 9PT	DATE RECEIVED: 24/05/2019
COMMUNITY: Abenbury	DESCRIPTION: CHANGE OF USE TO 7 NO. BEDROOM SINGLE-OCCUPANCY HOUSE IN MULTIPLE OCCUPATION (HMO) INCLUDING REAR SINGLE- STOREY EXTENSION	CASE OFFICER: KH
WARD: Holt		AGENT NAME: MR ANDREW SHIELD
	APPLICANT(S) NAME: MR ANDREW SHIELD	

This application was reported to Members on 4th November 2019. Members deferred the application to allow the Community Council sufficient time to respond to the Planning Officers comments on their representation before reporting the application back to the 2nd December meeting.

At the time of writing I have not received any further representations from the Community Council, however, should they submit something then it will be reported to Members via the addendum. In addition following concerns raised in respect of encroachment of vehicles onto adjoining properties I have introduced a further condition to erect a low level post and rail fence to delineate the area within the applicant's ownership which should prevent vehicles from encroaching onto adjoining land. This will replace condition 3 on the original report which required a footway along the site frontage. Following further discussions with highways it is not required in this instance. An amendment is also made to Condition 5 to include the hard surfacing of the parking area.

I set out below the following:

- The section of the Addendum to the 4th of November meeting that dealt with this application
- My main report
- My recommendation.

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EXTRACT FROM THE ADDENDM REPORT OF 4TH NOVEMBER 2019

Consultations

Abenbury Community Council

Object strongly. This should be refused. The main concerns are:

- The proposal is an intensification of the property particularly as access to four of the bedrooms will be through the kitchen. Access to the rear will also be through the kitchen for all 7 residents. The kitchen itself is also in any case inadequate for the needs of seven people. There is no communal area and the details make no mention of where residents will be able to eat meals as no table is provided in the bedrooms.
- Wrexham Council will be aware of the problems of parking on the street. The Environment department have regularly had problems with refuse vehicles having to drive over the grassed areas to get past parked cars. The Community Council is also in discussion with the Highways department regarding making alterations, at Abenbury's expense, to the road to improve the parking issue. The estate layout never assumed the current number of cars and can certainly not cope with, potentially an additional 7 cars. Provision is shown for 4 spaces, which with the refuse bins is tight (and unlikely in reality ever to be used). The Council feels strongly that this is inadequate for the proposed development.

Observations

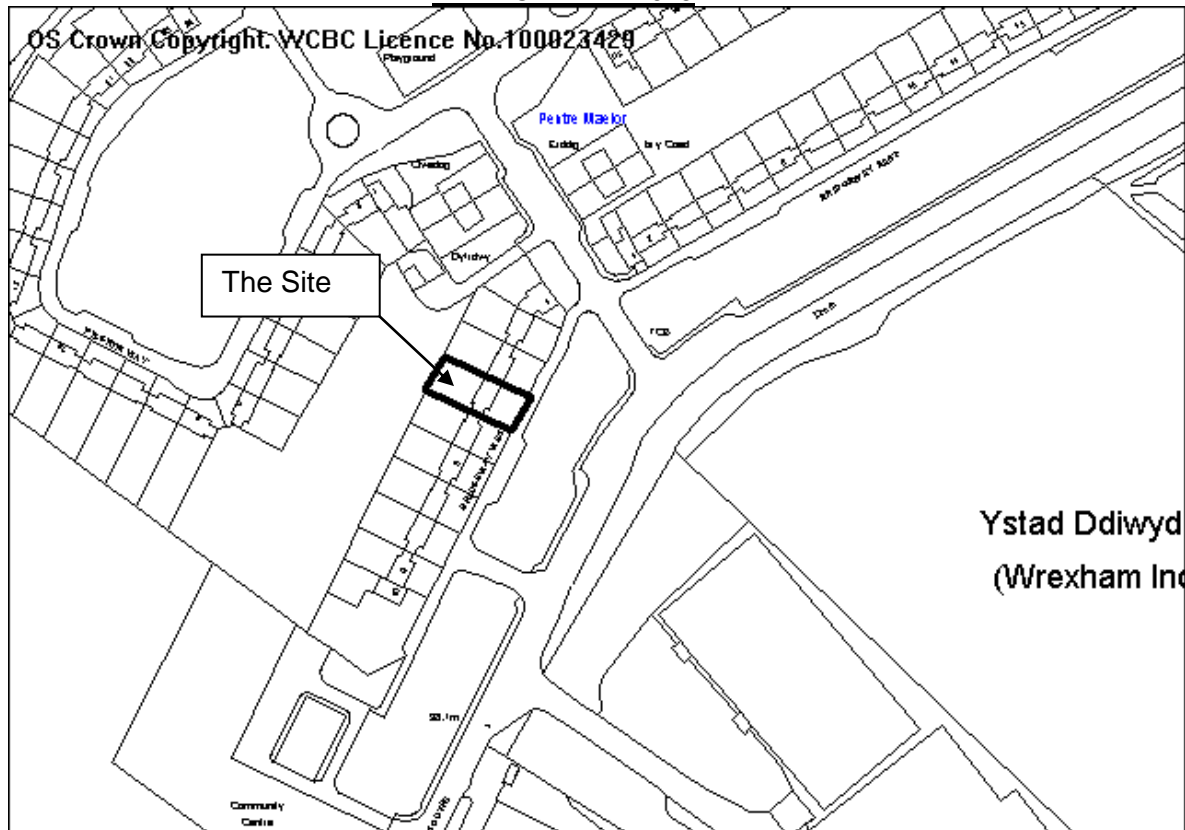
Neither policy H4 or LPG5 set out any specific requirements regarding the internal layout or the size of rooms within HMOs. Whether the property offers a suitable standard of accommodation is a matter that is considered via licensing.

Parking is considered in my main report.

THE SITE

No. 4 Bridgeway West is currently a three storey, four bed semi-detached link house situated on Wrexham Industrial Estate, approximately 4 miles from the town centre of Wrexham.

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PROPOSAL

Change of use to seven bedroom single occupancy house in multiple occupation (HMO) including rear single-storey extension.

HISTORY

None.

DEVELOPMENT PLAN

The site is located within the settlement limit. Planning Policies PS1, PS2, PS4, H4 and GDP1 (a) (b) (d) (e) (f) apply.

CONSULTATIONS

Community Council:	Consulted 29.05.2019
Local Member:	Notified 29.05.2019
Public Protection:	Consulted 29.05.2019
Highways:	Consulted 29.05.2019
Other representations:	Petition signed by 136 residents at Pentre Maelor on the grounds of setting a precedent and disrespect of the heritage of the estate and in the character of the area. Other concerns received from residents include:-

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- Drains will not be able to cope. Concerns sewage will overflow
- Started work before decision issued
- Extension has been built
- Type of property will not fit in with a family based community
- Inadequate drainage system with the main drain located on the adjoining property
- Infringement of privacy, overlooking and loss of daylight / sunlight to adjoining properties
- Rear garden inadequate size to support a HMO
- Increased vehicles travelling on a single-track outside properties which would have a negative impact on children playing outside
- Noise pollution

SPECIAL CONSIDERATIONS

Proposal: The proposal seeks a change of use to a 7 bedroom single occupancy house in multiple occupation (HMO) including a rear single storey extension. It is proposed that the HMO be laid out over two floors – 4 bedrooms on the ground floor with a kitchen, bathroom and WC and a further 3 bedrooms, shower room with WC and a separate WC

Highways:

Access – The property is located on an unclassified residential road subject to a 30 mph speed limit. However, Highways would estimate typical vehicle speeds at being around 20 mph given the geometry of the road. The carriageway fronting the property is approximately 5.3m wide but has no footway provision. The property currently has no driveway / off-street parking provision.

Parking Provision – The existing 4 bed property has no off-street parking provision. Highways assume that any cars associated with the property would have to park on the road outside the property or possibly in the layby further along the road.

Local Planning Guidance Note 16 would normally require maximum of 3 parking spaces for the existing 4 bedroom dwelling. LPGN 16 would normally require a maximum of 5 spaces for the proposed 7 bedroom HMO. The submitted layout plan (Drawing No. BW/PD/05) indicates the provision of 4 parking spaces in the front garden which is considered acceptable by Highways.

Highways also recommend any proposed driveway is surfaced with hard bound materials for a minimum distance of 5m behind the adjoining highway. A minimum 6m clearance will be required behind each parking space for manoeuvring and has been indicated on the submitted layout plan.

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An Aco drain or similar will be required across the access to intercept any private surface water run-off. The applicant will be required to apply for a S184 Consent in order to lower the kerb and form a new access.

The provision of 4 spaces in the front garden is considered acceptable and will take pressure off the road. Highways have recommended planning conditions

The proposal complies with the requirements of LPG5 Houses in Multiple Occupation and provides a large outdoor area to provide external drying areas, bin storage and cycle parking. Bin storage should be in accordance with the requirements of LPG Note 5 (Multiple Occupation)

Waste Collection / Bin Storage: It is important that any proposed bin store / compound is of adequate size / design to accommodate the required number / type of bins and is suitably located to serve such a development i.e. in close proximity to the adjoining highway.

Conclusion: I have considered the concerns expressed by nearby residents and impact on residential amenity. I am conscious that excessive noise would be addressed by Public Protection and enforcement of the HMO licence at the property. I am aware of the concerns regarding the drains and

A Building Regulations application will also be required which will consider fire safety, any new drainage, structural alterations and ventilation and light.

Provision of 4 parking spaces on the site will help ease additional congestion.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. BW/PD/05
3. Prior to first use of the development a low level post and rail fence shall be constructed along the front site boundaries with no. 3 and no. 5 Bridgeway West in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
4. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.
5. Prior to first use of the vehicular access hereby approved, the access and parking area shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

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6. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
7. Full details of the location of bin storage shall be submitted for the approval of the Local Planning Authority and retained thereafter in accordance with Bin Storage requirements outline in LPG 5 (Houses in Multiple Occupation)
8. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered BW/PD/02 Revision A, BW/PD/04 Revision A, and BW/PD/05 and as contained within the application documentation.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
3. To prevent vehicles from encroaching onto neighbouring land.
4. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. To satisfy the requirements of LPG 5 (Houses in Multiple Occupation).
8. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

NOTE(S) TO APPLICANT

Renewal of additional licensing is required by Public Protection and meeting the prescribed standards accordingly.

Highways would strongly recommend that you consult with the Councils Waste Strategy Officer, Catherine Golightly on Tel: 01978 729693 to discuss a proposed binstore / compound is of adequate size / design to accommodate the required number / type of bins and is suitably located to serve such a development i.e. in close proximity to the highway.

The applicant will be required to apply for a Section 184 Consent in order to lower the kerb and form the new access.

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The applicant's attention should be drawn to item Nos. 1, 3, 4 and 5 of the Supplementary Notes.

A building regulation application will be required. You should contact David Sharp at the Building Control section on Tel: 01978 298876.
