

**Application Number:** 21/1056/COU

**Date Received:** 15.10.2021

**Applicant:** D2 Propco Ltd

**Description and Location of Development:** Change the use of residential dwelling to a C4 HMO - 53 Sir Ivor Road Pontllanfraith Blackwood NP12 2JL

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: Number 53 is located towards the southern end of Sir Ivor Road, close to where it merges with, and becomes Newport Road.

Site description: Two storey terraced property with stone frontage with painted brick quoins and headers. Rear elevation has a rendered finish with a single storey rear extension, all with concrete tile roof covering. Property is set back from the back edge of the pavement and is at a slightly higher level than Sir Ivor Road. The front boundary comprises a dwarf stone wall with low metal railings above, this encloses a small front garden/yard containing steps leading up to the front door. There is a yard area to the rear of the property outside the back door, beyond which the land rises in a westerly direction up to a rear service lane that bounds the site, the rear curtilage contains a hardstanding with direct access onto the rear lane, to the other side of that lane are existing residential properties.

Development: Full planning permission is sought to change the use of the premises from that of a single dwelling (C3) to a House in Multiple Occupation (C4).

Dimensions: The footprint of the building remains unchanged.

Materials: No external alterations to the fabric of the building are proposed.

Ancillary development, e.g. parking: Three parking spaces are indicated within rear curtilage.

### PLANNING HISTORY 2010 TO PRESENT

None.

### POLICY

LOCAL DEVELOPMENT PLAN Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 (LDP).

Site Allocation: Within settlement limits.

Policies: SP2: (Development in the Northern Connections Corridor), SP5 (Settlement Boundaries), SP6 (Place Making), CW2 (Amenity), CW3 (Design Considerations: Highways), CW15 (General Locational Constraints together with advice contained within Supplementary Planning Guidance LDP 5: Car Parking Standards).

NATIONAL POLICY Future Wales - The National Plan 2040, Planning Policy Wales 11th Edition (February 2021); Welsh Government Houses in Multiple Occupation: Practice Guidance (March, 2017).

## ENVIRONMENTAL IMPACT ASSESSMENT

Did the application have to be screened for an EIA? No.

Was an EIA required? No.

## COAL MINING LEGACY

Is the site within an area where there are mining legacy issues? Not applicable due to the nature of the application.

## CONSULTATION

Transportation Engineering Manager - CCBC - No objection subject to conditions requiring completion of indicated parking area prior to occupation. Materials to be used in its construction to be agreed and rainwater runoff not to discharge into highway surface water drainage system.

Head Of Public Protection - CCBC - No objection raised, recommends that the applicant have due consideration to comments provided by Private Housing Department relating to matters controlled under the Housing Act 2004.

## ADVERTISEMENT

Extent of advertisement: Two immediately neighbouring properties were notified of the application by letter and a site notice was displayed outside the premises.

Response: Fourteen responses have been received objecting to the proposal.

Summary of observations: The comments received can be summarised as follows:-

- 1 Unable to contact the applicant/landlord via details provided therefore lack of transparency.
2. Additional vehicles belonging to potential tenants will exacerbate existing parking problems currently experienced by residents of the street.

3. Concerns as to the character of potential occupants and issues over the vetting of potential tenants.
4. Effect that the proposal will have on the value of other residential properties in the area.
5. The size of the accommodation that will be offered is insufficient to meet needs of four individual adults.
6. Adequacy of existing toilet, bathroom and kitchen facilities to meet the individual needs of the occupants.
7. Approval of the application would have an adverse impact upon the wellbeing of the current residents of the street due to the potential increase in the level of anti-social behaviour adding to that currently experienced which has been caused by residents of other similar properties that exist in the street and immediately adjacent to it.

### SECTION 17 CRIME AND DISORDER ACT

What is the likely effect of the determination of this application on the need for the Local Planning Authority to do all it reasonably can to prevent crime and disorder in its area?  
There are no specific crime and disorder implications material to the determination of this application.

### EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? The proposed development only affects the interior of the building. Therefore, the proposal is not liable for CIL.

### ANALYSIS

Policies: The application has been considered in accordance with national planning policy and guidance, local plan policy and supplementary planning guidance. The main considerations in the determination of this application is the compatibility of the proposed use within a residential area, the visual appearance of the development on the character of the area, the impact on neighbour amenity and highway safety implications.

The proposal comprises the change of use of 53, Sir Ivor Road, Pontllanfraith from use as a single dwelling (C3) to a House in Multiple Occupation (C4). The application site is within the defined settlement boundary and the proposal is acceptable in principle conforming with the requirements of Policies CW15 (General Locational Constraints) and SP5 (Settlement Boundaries).

In respect of housing delivery, the national planning guidance document Planning Policy Wales (PPW) acknowledges that there must be "sufficient sites suitable for the full

range of housing types to address the identified needs of communities" (paragraph 4.2.11). Caerphilly County Borough currently has a severe shortage of this type of property and heavily relies on bed and breakfast accommodation to meet the shortfall. It is therefore considered that the proposal will assist with the provision of emergency accommodation and contribute to meeting the needs of the community in line with Planning Policy Wales.

The Welsh Government published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMOs provide a source of accommodation for certain groups, including students temporarily resident in a locality and individuals and/or small households unable to afford self-contained accommodation. Concerns can arise with the management of HMOs because of the transient nature of many tenancies, with many residents on low incomes and/or from vulnerable groups, the intensive use of shared facilities and lack of interaction between residents who may be complete strangers to each other. Consequently, HMO use of a house will generally be more intensive than single household use. This may have an impact not just on the residents in an HMO but on the wider neighbourhood and the likelihood of this increases where there are high concentrations of such properties." (Paragraph 1.3 WG HMO practice guidance note).

The application property is a terraced two storey dwelling within an established residential area of Pontllanfraith. The property currently has three bedrooms at first floor level with a hallway, living room, dining room, kitchen and bathroom on the ground floor. The application seeks full planning permission for the change of use of the property to a HMO with four bedrooms. The ground floor layout will be altered; it is proposed that a new wall will be erected between the living room and dining room to create a new bedroom at the front of the property. The existing wall between the kitchen and dining room is shown as being removed to create a reconfigured living room and kitchen with a separate doorway from the internal hallway. The bathroom is to remain as it is and three bedrooms are to remain at first floor level. There will be no external alterations to the fabric of property.

On that basis the proposed change of use would reconfigure the internal layout and increase the capacity of the building to a total of 4 bedrooms. It is not considered that the addition of this one bedroom would lead to a significant increase in activities at the property over and above that which could occur with the lawful use of the building. Furthermore, members are advised that planning consent is not required for internal alterations that result in the re-configuration of the existing accommodation and it is conceivable that 4 adults, living as a single household, could live in the property at present without the need for planning consent. This proposal would not materially change this.

Policy CW2 of the Local Development Plan sets out criteria relating to amenity and states that development proposals must ensure that there is no unacceptable impact on the amenity of adjacent properties or land. In that respect no external alterations to the

building are proposed, as such it is not considered that the development would give rise to any adverse visual impacts to the character and appearance of the surrounding area.

In terms of its impact on neighbouring amenity, given that no external alterations to the building are proposed it is not considered that the development would give rise to any loss of privacy or overbearing impacts.

With regard to the above concerns contained in the Welsh Government practice guidance it should be noted that it is stated that these issues can arise when there are concentrations of HMO's in a particular area. The research document suggested that 10% is a general 'tipping point' beyond which the evidence indicates that a concentration of HMOs can begin to have an adverse impact on the character and balance of a community. This tipping point is described as a threshold beyond which a community can 'tip' from a balanced position in terms of demographic norms and impacts, towards a demographic that is noticeably more mixed in terms of shared and family households. In this instance it should be noted that there is one licensable HMO in the Pontllanfraith area and in the region of 200 unlicensed HMO's in the Caerphilly County Borough and that these are spread throughout the area. In that context, the Local Planning Authority is not in a position to argue that there is a high concentration of Houses of Multiple Occupation in the immediate vicinity of the application site or within Caerphilly County Borough as a whole. Taking into consideration the cumulative impacts of such HMOs within the Caerphilly County Borough and their dispersed placement, it is not considered that the proposed change of use in itself would significantly change the immediate character of Pontllanfraith or detrimentally impact the current levels of amenity received by the neighbouring occupiers. Therefore, the proposal complies with Policy CW2 in that it would not have an unacceptable impact upon the immediate character and amenity of the local area of Pontllanfraith.

Policy CW3 states that development proposals should have regard for the safe, effective and efficient use of the transportation network, and parking space should be provided in accordance with the CSS Wales Parking Standards 2008. Three off-street car parking spaces are proposed within the rear curtilage and therefore the Transportation and Engineering Manager is satisfied in highway safety term subject to imposing conditions to any consent relating to parking and surfacing provision and rain-water run-off.

In conclusion the proposal complies with Policy CW2 and Policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - adopted November 2010, as such it is considered to be acceptable in planning terms and it is recommended that planning permission is granted subject to conditions.

Comments from Consultees: Transportation Engineering Manager - No objection subject to conditions requiring completion of indicated parking area prior to occupation. Materials to be used in its construction to be agreed and rainwater runoff not to discharge into highway surface water drainage system.

Head of Public Protection - No objection raised, recommends that the applicant has due consideration to comments provided by Private Housing Department relating to matters controlled under the Housing Act 2004.

Comments from public: The following comments were received:-

1. Unable to contact the applicant/landlord via details provided therefore lack of transparency - Having the option to contact the applicant is not a material planning consideration however there is enough information provided for the Local Planning Authority to make an informed decision to members regarding the acceptability of the proposed use.
2. Additional vehicles belonging to potential tenants will exacerbate existing parking problems currently experienced by residents of the street - The level of off-street car parking provision to be provided meets the requirements for the property, any existing parking pressures cannot be taken into consideration in the determination of this application.
3. Concerns as to the character of potential occupants and issues over the vetting of potential tenants - This is an application for the change of use of a dwelling to a dwelling for use by persons not living as a single household and as stated above it is not considered that the proposal would materially affect the character of the area. This is not an application for a medium or high secure facility where residents are not considered suitable to live within the community and the application should be considered on that basis. As such it is not for the Local Planning Authority to consider whether any potential tenants of the property are suitable in that regard.
4. Effect that the proposal will have on the value of other residential properties in the area - The impact upon property values in the area is not a material planning consideration.
5. The size of the accommodation that will be offered is insufficient to meet needs of four individual adults.
6. Adequacy of existing toilet, bathroom and kitchen facilities to meet the individual needs of the occupants.

In respect of points 5 and 6 the report above addresses the sites suitability for residential purposes. It should also be noted that the use of the building would still remain as a dwelling, albeit in a different use class (C4). In terms of the size of the property, the submitted details demonstrate that a fourth bedroom can be accommodated within the property. The internal arrangements of the property would be covered by separate legislation.

7. Approval of the application would have an adverse impact upon the wellbeing of the current residents of the street due to the potential increase in the level of anti-social

behaviour adding to that currently experienced which has been caused by residents of other similar properties that exist in the street and immediately adjacent to it - The impact upon neighbouring properties has been discussed in the above report however there is no evidence to suggest that the proposed use will equate to increased anti-social behaviour. If such issues occur then it is for the Police to deal with such matters.

Other material considerations: None.

The duty to improve the economic, social, environmental and cultural well-being of Wales, has been considered in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015. In reaching the recommendation below, the ways of working set out at section 5 of that Act have been taken into account, and it is considered that the recommendation is consistent with the sustainable development principle as required by section 8 of that Act.

Future Wales - The National Plan 2040 was published on 24 February 2021 and forms part of the statutory development plan for the county borough. In addition to this Planning Policy Wales (PPW) has been amended to take account of Future Wales and PPW Edition 11 has also been published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 11 and where they are particularly pertinent to the consideration of the proposals they have been considered as part of the officer's report. It is considered that the recommendation(s) in respect of the proposals is (are) in conformity with both Future Wales and PPW Edition 11.

**RECOMMENDATION that Permission be GRANTED**

This permission is subject to the following condition(s)

- 01) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 02) The development shall be carried out in accordance with the following approved plans and documents: Dwg No. 2833 C Site Location Plan, Block Plan and Existing and Proposed Floor Plans received on 15.10.2021.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The development shall not be occupied until the area indicated for the parking of vehicles has been laid out in accordance with the submitted plans and that area shall not thereafter be used for any purpose other than the parking of vehicles.  
REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

- 04) Prior to the occupation of the development hereby approved all hard surfacing within the curtilage shall have been:
- 1) constructed in porous or permeable materials, or
  - 2) provided with drainage to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse, and
  - 3) where a surface is to be used as a parking area or drive it shall not be constructed in loose materials,
- and thereafter those areas shall be permanently maintained so as to comply with requirements 1), 2) and 3) of this condition.
- REASON: To provide a sustainable drainage system and avoid loose materials being taken out onto the highway in accordance with policies CW3 and SP6 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Rainwater run-off shall not discharge into the highway surface-water drainage system.
- REASON: In the interests of highway safety in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.

Advisory Note(s)

Please find attached the comments of Head of Public Protection that are brought to the applicant's attention.