

Application Number: 24/0152/COU

Date Received: 29.02.2024

Applicant: Bajrangi Developments

Description and Location of Development: Change the use from a 4 bedroom semi-detached house (C3) to a 5 bedroom HMO (C4) - 16 High Street Rhymney Tredegar NP22 5NB

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: The application site is at 16 High Street, Rhymney.

Site description: The application site is a three storey semi-detached dwelling, set back from High Street and containing off-street parking to the front of the dwelling. The dwelling is finished in render and painted cream, white uPVC windows and doors and a concrete tile roof. The building is currently a 4 bedroom C3 dwelling.

Development: The proposed development is to change the use of the building from C3, to a C4 House in Multiple Occupation (HMO). The proposed HMO would contain 5 bedrooms, 2 bathrooms and a communal kitchen and lounge. The upper two floors would remain as existing, with 4 bedrooms and 2 bathrooms spread across the two floors. The ground floor would be reconfigured to create a fifth bedroom and a communal kitchen and lounge. Three off-street parking spaces have been indicated at the front of the property, along with a cycle shed for 4 cycles.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: None.

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: The application site is within settlement limits and within the Rhymney Conservation Area.

Policies: SP1: (Development in the Heads of the Valleys Regeneration Area (HOVRA)), 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 and LDP 6: Building Better Places).

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

Rhymney Community Council - No comments received.

Transportation Engineering Manager - CCBC - No objection, subject to conditions.

Environmental Health Manager - No objection.

ADVERTISEMENT

Extent of advertisement: Eight neighbouring properties were notified of the application by letter and a site notice was erected.

Response: Eight letters of objection were received.

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

1. The development will result in an increase in antisocial behaviour.
2. The property is within close proximity to a nursery.
3. The development will put more pressure on local police, GP surgery and school facilities.
4. There are too many of these properties in the area.
5. There are other areas that can accommodate this type of development.
6. The property is within the Rhymney Conservation Area, the proposal will undermine the status of the area.

7. The bedroom spaces are too small.

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 are the compatibility of the proposed use within a residential area, the visual appearance of the development on the character of the Rhymney Conservation Area, the impact on neighbour amenity and highway safety implications.

The proposal comprises the change of use 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 4.2.13). 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 accommodation for single persons or small households and contribute to meeting the needs of the community in line with Planning Policy Wales.

The application property is a semi-detached three storey dwelling within an established residential area of Rhymney. The property currently has four bedrooms and two bathrooms spread across the two upper floors. The property is accessed at ground floor, which contains a living room and kitchen. The application seeks full planning permission for the change of use of the property to a HMO with five bedrooms. The

layout of the two upper floors will remain as existing, this being four bedrooms and two bathrooms. The ground floor will be rearranged internally to create an additional bedroom, along with a communal kitchen and lounge area.

On that basis, the proposed change of use would reconfigure the internal layout and increase the capacity of the building to a total of 5 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, it is noted that planning consent is not required for internal alterations that result in the re-configuration of the existing accommodation and it is conceivable that 5 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.

Criterion B of Policy SP6 requires development to be of a high standard of design that reinforces attractive qualities of local distinctiveness. In that respect, no external alterations are proposed to the host building itself, and as such there are no concerns in this respect. The site is within the Rhymney Conservation Area and as such, consideration of the impact on the character and appearance of the conservation area should be undertaken. In that respect, the external appearance of the building will remain as existing. It is also considered that the development would not have an impact on the character of the conservation area. The use of the building remains residential, albeit not the current form of residential use, as such the primary use of the building remains and its contribution to the character of the conservation area remains as existing. Given the above, the proposed development is considered to be compliant with criterion B of Policy SP6.

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.

The Welsh Government published a practice guidance note on Housing in Multiple Occupation in March 2017 which advised that "HMO's 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 HMO's 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).

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 HMO's 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 not all HMO's require a license and in that respect it is unknown how many HMO's there are in the Caerphilly County Borough area. To be more specific, only HMO's that are three storey's in height are required to be licensed, of which there are only 3 licensed HMO's in the entirety of Caerphilly County Borough. One of the licensed HMO's is within the Twyn Carno ward, in which this application is also located. The Twyn Carno ward has a total of 1798 residential dwellings and taking into account the licensed HMO's and this application, the number of HMO's is 2. As such, the percentage of HMO's in the Twyn Carno ward is 0.1%, which is considerably less than the suggested tipping point of 10%. 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 HMO's 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 Rhymney 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 character and amenity of the local area of Rhymney.

Policy CW3 states that development proposals should have regard for the safe, effective and efficient use of the transportation network. The Transportation Engineering Manager was consulted on the proposal, in which no objection was raised subject to a number of conditions relating to the off-street parking.

In conclusion the proposal complies with Policy CW2, Policy CW3 and Policy SP6 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: No objection.

Comments from public: The following is provided in response to the comments received:

1. The development will result in an increase in antisocial behaviour. - There is regard given to crime and disorder through the planning process, however it is not a material consideration for this application. Managing and preventing antisocial behaviour is a matter for the police.
2. The property is within close proximity to a nursery. - This is not a material consideration.
3. The development will put more pressure on local police, GP surgery and school facilities. - Given the scale of the development, it is not considered that the development would put undue pressure on local police, GP surgery and school.
4. There are too many of these properties in the area. - As identified in the above report, the number of HMO's in the Tywn Carno ward is very low.
5. There are other areas that can accommodate this type of development. - This is not a material consideration.
6. The property is within the Rhymney Conservation Area, the proposal will undermine the status of the area. - As identified in the above report, the proposed development is not considered to impact the Rhymney Conservation Area.
7. The bedroom spaces are too small. - There are no defined minimum space standards for this form of development, as such the size of the bedrooms are considered acceptable.

Other material considerations: Recent updates to Planning Policy Wales, to edition 12 (Feb 2024), requires the submission of Green Infrastructure Assessments and Statements, along with strengthening the protection of SSSI's, net benefits for biodiversity and increased emphasis on tree protection and tree planting. Chapter 6 explains that green infrastructure assessments and statements should be proportionate to the proposal. In this instance, the application is to change the use of a building, with only internal works proposed. In that respect, no specific reference to the provisions of the updated Chapter 6 has been included in the submission. However, given the scope of the application, it is not considered necessary or proportionate to request a Green Infrastructure Statement.

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) was amended to take account of Future Wales and under PPW Edition 11, which was also published on 24th February 2021. In reaching the conclusion below full account has been taken of both Future Wales and the updated PPW Edition 12, published February 2024 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 12.

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. PL01 - Existing Block and Location Plan received 26.02.2024; and
Dwg No. PL03 - Proposed Plans received 26.02.2024.
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) The development shall not be occupied until the cycle parking has been provided in the location identified for cycle parking on the approved plans.
REASON: To ensure that the development is accessible by all modes of transport in the interests of sustainability in accordance with policy CW3 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 05) Prior to the occupation of the development hereby approved, roosts and a means of access for bats shall be provided as part of the approved development.
REASON: To provide additional roosting for bats as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Policy 9 of Future Wales: The National Plan 2040 (2021), Planning Policy Wales Edition 11 (2021), Technical Advice Note 5: Nature Conservation and Planning (2009) and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.
- 06) Prior to the occupation of the development hereby approved, nesting sites for birds shall be provided as part of the approved development.
REASON: To provide additional roosting for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Policy 9 of Future Wales: The National Plan 2040 (2021), Planning Policy Wales Edition 11 (2021), Technical Advice Note 5: Nature Conservation and Planning (2009)

and policies CW4 and SP10 of the adopted Caerphilly County Borough Local Development Plan up to 2021.