

Code No. and Date Received	Name and Address of Applicant	Description and Location of Proposed Development
20/0053/COU 21.01.2020	D2 Propco Ltd Unit 8 Melyn Mair Wentloog Avenue Cardiff CF3 2EX	Change the use from dwelling house to HMO temporary accommodation 3 Tree Tops Avenue Blackwood NP12 1JF

**APPLICATION TYPE:** Change of Use

### SITE AND DEVELOPMENT

Location: The application property is located on the western side of Tree Tops Avenue, Blackwood.

Site description: Two storey semi-detached property elevated above the highway.

Development: Planning permission is sought to change the use of the dwelling to HMO temporary accommodation.

Dimensions: The property has a maximum footprint measuring 6.3 metres in width by 7.5 metres in depth.

Materials: There are no external changes to the building proposed.

Ancillary development, e.g. parking: None.

### PLANNING HISTORY 2010 TO PRESENT

None.

### POLICY

#### LOCAL DEVELOPMENT PLAN

Site Allocation: The site is located within settlement limits.

Policies: SP2 (Development Strategy - Development in the Northern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), CW2 (Amenity) and CW3 (Design Considerations - Highways).

NATIONAL POLICY Planning Policy Wales Edition 10 (December 2018).

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### ENVIRONMENTAL IMPACT ASSESSMENT

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

Was an EIA required? Not Applicable.

### 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 - No comments received at the time of writing the report however those comments will be reported verbally to members.

Head Of Public Protection - No objection.

### ADVERTISEMENT

Extent of advertisement: The application was advertised by means of a site notice and four neighbours were notified by way of letter.

Response: Eighteen letters of representation were received objecting to the proposal at the time of writing the report. Should any additional representations be received, these will be reported to members verbally at Planning Committee.

Summary of observations:

### PROPERTY DEVALUATION

- Home owners have spent a significant amount of money buying their home within the street and the proposal would devalue properties significantly.

### PERCEIVED FEAR OF ANTI-SOCIAL BEHAVIOUR AND PUBLIC SAFETY

- Uncertainty and fear of not knowing who the occupants are. -It is claimed that the accommodation could be used by person who have perpetrated serious criminal acts.
- There are many young children and elderly people living in the street, the dynamics of a quiet street will change.
- Street lighting being turned off by the council together with the undesirable tenants would exacerbate the risks to residents in the evening further.
- Young children within the street would be subjected to anti-social behaviour.

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## Planning application 20/0053/COU Continued

- The quality of life and living conditions would be adversely affected for current residents as a result of the tenure and the associated anti-social behaviour.
- HMO temporary housing will give rise to local residents being afraid of constant flow of strangers.
- There are plenty of examples throughout Wales that show young adult homes bring untold misery to existing neighbourhoods.
- Tree Tops Avenue will have an undesirable reputation.
- Fearful that children cannot go out to play and will be confined to the indoor spaces within their homes.
- The proposal will lead to an increase in petty crime.
- The property has been let previously to short term tenants and this has created issues in respect of disruption, littering and the police frequenting the property.

## SUITABILITY OF THE PROPOSAL

- A multi-occupancy dwelling is not possible within a small property.
- Tree Tops Avenue consists of semi-detached family units. There are no multi occupancy properties in the area.
- The property was designed as a three bedroom dwelling and cannot support four bedrooms.
- Questions the basic appropriateness of converting a residential dwelling into another use.
- Inappropriate development for a family orientated area.

## HIGHWAY SAFETY

- There are existing parking issues within the street and this would add further to the current problems.
- Emergency Services already struggle to navigate through the congested street.

## LACK OF COMMUNITY CONSULTATION

- The local community should have an opportunity to comment on the suitability of the proposal.
- The application has not been advertised.
- The community were not informed by post with just a site notice being erected.
- Neighbours have not been notified, there has been no notification in writing and the application has not been seen in the locality.

## RIGHT FOR RESIDENTS TO KNOW WHO THEIR NEIGHBOURS ARE

- There is a right for the existing residents to know who will be living in the street.

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Planning application 20/0053/COU Continued

### 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? No the development is not CIL liable as no additional floor space is being created.

### ANALYSIS

Policies: The application has been considered in accordance with national policy and guidance and local plan policies. The main considerations in the determination of this application are the principle of development, its impact upon the character of the surrounding area, neighbouring amenity and highway safety.

The application property is a three bedroom residential dwelling. The proposed conversion to a four bedroom house in multiple occupations does not involve any internal or external alterations. Furthermore, the development will retain and continue the residential use of the building. The building is also easily accessible to and from the local shops, services and transport links provided within the Blackwood Principal Town Centre, and therefore fulfils a number of policy criteria required for a sustainable location. In that regard the principle of development within settlement limits is considered to be acceptable subject to satisfying all other material planning considerations.

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, as stated previously, no external alterations to the building are proposed and therefore it is not considered that the development would give rise to any loss of privacy or overbearing impacts.

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## Planning application 20/0053/COU Continued

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. The application property is located within walking distance to Blackwood Principal Town Centre and also offers sustainable modes of travel in terms of access to Bargoed Principal Town Centre.

The consequences of increased car parking pressure as a result of lack of off-street car parking provision is an important consideration in the determination of this application. However, the application property is a three bedroom dwelling and currently offers no off-street car parking, the proposed conversion to a four bedroom house in multiple occupations would require three off-street car parking spaces. Evidently, the proposed conversion will result in a significant shortfall in off-street car parking provision, however this has to be balanced against the fact that the dwelling is already a three bedroom dwelling and as a starting point each family member of the dwelling occupying a bedroom could have their own vehicle. Having regard to the above considerations, the proposed development is considered acceptable in terms of highway safety.

In conclusion the proposal complies with policy CW2 and CW3 of the Gaerphilly County Borough Local Development Plan up to 2021 - adopted November 2010.

Comments from consultees: No comments received at the time of writing the report, highways comment swill be reported verbally to members.

Comments from public: The following representations were received:-

In respect of the comments received regarding property devaluation, this is not a material planning consideration.

With regards to the concerns raised regarding the perceived fear of anti-social behaviour and public safety, there is no evidence to suggest that the proposed use will equate to increased criminal activity. If such issues occur where anti-social activity or crime takes place then it is for the Police to deal with such matters.

In terms of the representations received regarding the suitability of the proposal the report above addresses the sites suitability in this respect. 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.

With regards to the highway safety concerns raised, it is not considered that the proposal will raise any significant traffic movements above the authorised use of the building. This has been addressed in the report above.

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## Planning application 20/0053/COU Continued

In respect of the comments raised regarding lack of community consultation, the Local Planning Authority has a duty to advertise applications for planning permission in accordance with article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012. The necessary publicity requirements have been met.

Finally, with regards to the comment raised that existing residents have a right to know who will be living in the street, this is not a matter covered by the planning legislation.

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.

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.2709 C Site Location Plan, Block Plan, Existing and Proposed Floor Plans received on 21.01.2020.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

### Advisory Note(s)

The following policy(ies) of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010 is/are relevant to the conditions of this permission: CW2 and CW3.

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