

Application Number: 22/0046/COU

Date Received: 19.01.2022

Applicant: Mr Pesticcio

Description and Location of Development: Change the use of single dwelling into C4 HMO - 25 Cedar Road Trinant Newport NP11 3JW

APPLICATION TYPE: Change of Use

SITE AND DEVELOPMENT

Location: Penultimate dwelling in a row of semi-detached properties situated on the south side of Cedar Road, a cul de sac running in an easterly direction from its junction with Pen Y Waun Road.

Site description: Semi-detached two storey dwelling, set below the level of Cedar Road, steps down to front entrance, a raised off road parking area has been created within the front garden.

Development: Full planning permission is sought to change the use from a single dwelling into C4 HMO.

Dimensions: Not applicable.

Materials: Not applicable.

Ancillary development, e.g. parking: None.

PLANNING HISTORY 2010 TO PRESENT 21/0674/NMA - Seek approval of a non-material amendment to planning consent - Application Invalid on Receipt.

21/0782/COU - Change the use from a single dwelling into C4 HMO - Application Withdrawn.

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 Strategy - Development in the Northern Connections Corridor), SP4 (Settlement Strategy), SP5 (Settlement Boundaries), SP6 (Place

Making), CW2 (Amenity), CW3 (Design Considerations: Highways), and CW15 (General Locational Constraints).

Supplementary Planning Guidance Supplementary Planning Guidance LDP5 - Car Parking Standards.

NATIONAL POLICY Planning Policy Wales; 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? 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 - CCBC - No objection subject to the following conditions:

The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

Reasons:

In the interests of highway safety.

To ensure that adequate off-street parking facilities are provided within the curtilage of the site.

Head Of Public Protection - CCBC - No objection.

ADVERTISEMENT

Extent of advertisement: Notification letters were sent to 24 addresses in Trinant and a site notice was displayed in the street to the front of the site.

Response: Five individual responses have been received together with a petition bearing eighty-eight signatures.

Summary of observations: The comments put forward may be summarised as follows:-

1. The street is a cul-de-sac where parking is an existing problem additional vehicles will add to the issue, not a suitable location.
2. Quiet family street, told that other HMO's have attracted drugs and anti-social behaviour, doesn't want this on doorstep.
3. The introduction of the proposed use in a street where young and old know each other well would cause the existing residents to feel vulnerable.
4. Detrimental and unsettling effect on the existing occupants of the property.
5. At least 14 children in the cul de sac, concerned as to the potential impact of additional traffic on them and who would know who would be occupying the premises.
6. Loss of an existing family home in Trinant area where there is a lack of such accommodation to meet an existing need for that type of housing.
7. Village facilities are limited, there is no doctor's surgery, only one shop and no support to find a job, with only an hourly bus service, if the occupants do not have their own transport they would be isolated and brings into question of the sustainability of the proposal.
8. Property is a two bedroomed dwelling with an attic room, not as described in the application. Planning permission has not been sought or granted for the loft to be converted when it was done in or around 2003 it was not carried out as per the Building Regulations. How can the landlord possibly rent the attic room out as a bedroom if the application is a success? Surely the application should be classed null and void due to inaccurate information being presented to the planning Committee?
9. Occupation of the premises by a number of individual adults could result in them coming and going at any time of the night, or have music playing, etc., which is not the situation at the moment with a young family occupying the property, and as such these activities would be detrimental to the health and amenities of the attached neighbouring property due to potential noise late at night.

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 25 Cedar Road, Trinant, 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 to 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 semi-detached two storey dwelling within an established residential area of Trinant. The application states that the property currently has three bedrooms, two at first floor level and one in the roof space. Currently the ground floor is shown to comprise of a living room to the front of the house with dining area/kitchen to the rear with a hallway, w/c and stairs leading to the first floor. The first floor is shown as having two bedrooms and a family sized bathroom, with a landing and stairs to the roof

space. The roof space is shown on the plans as a bedroom. The application seeks full planning permission for the change of use of the property to a HMO with four bedrooms. Physically the internal arrangement of walls will be unchanged. The proposed ground floor plan shows that the living room will become 'letting bedroom 1'. The bedrooms to the first floor are identified as 'letting bedroom 2' and 'letting bedroom 3' and the bedroom shown in the loft will become 'letting bedroom 4'. There are no external alterations shown to the fabric of property. Members are advised that the carrying out of the maintenance, improvement or other alteration of any building or works which affect only the interior of the building, does not involve development as defined by the Town and Country Planning Act 1990 as amended, therefore the conversion of the loft space to a room and the installation of stairs to access that space would not have required planning permission at the time the works were undertaken.

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. It is conceivable that four 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 are 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 Trinant 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 Trinant.

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. Two existing off-street car parking spaces are shown within the front curtilage and therefore the Transportation and Engineering Manager is satisfied in highway safety term subject to imposing a condition on any consent to the effect that the existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

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 the following conditions:

The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.

Reasons: In the interests of highway safety. To ensure that adequate off-street parking facilities are provided within the curtilage of the site.

Head of Public Protection - No objection raised.

Comments from public: The following comments were received:-

1. The street is a cul-de-sac where parking is an existing problem additional vehicles will add to the issue, not a suitable location - The level of off-street car parking provision provided meets the requirements for the property, any existing parking pressures cannot be taken into consideration in the determination of this application.
2. Quiet family street, told that other HMO's have attracted drugs and anti-social behaviour, doesn't want this on doorstep.
3. The introduction of the proposed use in a street where young and old know each other well would cause the existing residents to feel vulnerable.
4. Detrimental and unsettling effect on the existing occupants of the property.

5. At least 14 children in the cul de sac, concerned as to the potential impact of additional traffic on them and who would know who would be occupying the premises.

In regards to points 2, 3, 4 and 5, 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.

6. Loss of an existing family home in Trinant area where there is a lack of such accommodation to meet an existing need for that type of housing - The change of one property into another type of dwelling would not significantly change the character of the area.

7. Village facilities are limited, there is no doctor's surgery, only one shop and no support to find a job, with only an hourly bus service, if the occupants do not have their own transport they would be isolated and brings into question of the sustainability of the proposal - The dwelling is located within a defined settlement within the adopted Local Development Plan and therefore the principle of development is considered to be acceptable subject to satisfying all other material planning considerations.

8. Property is a two bedroomed dwelling with an attic room, not as described in the application. Planning permission has not been sought or granted for the loft to be converted when it was done in or around 2003 it was not carried out as per the Building Regulations. How can the landlord possibly rent the attic room out as a bedroom if the application is a success? Surely the application should be classed null and void due to inaccurate information being presented to the planning Committee? - Planning permission was not required for the conversion of the loft. The internal arrangements of the property would be covered by separate legislation.

9. Occupation of the premises by a number of individual adults could result in them coming and going at any time of the night, or have music playing, etc., which is not the situation at the moment with a young family occupying the property, and as such these activities would be detrimental to the health and amenities of the attached neighbouring property due to potential noise late at night -Whilst there may be an increase in noise from the proposed use it is not considered that this would be materially different to that which could be expected from family a dwelling or to such an extent that refusal of this application would be justified. Noise where it was shown to be a Statutory Nuisance would be covered under other 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.

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:
 - Site Location Plan, Dated 27th July 2021, Received 19th January 2022;
 - Existing and Proposal Floor Plans, Drwg. No. KD1817/1A, Received 19th January 2022.REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
- 03) The existing vehicular hardstanding to the front of the property shall be maintained free of obstruction for the parking of vehicles only.
REASON: In the interests of Highway safety in accordance with policy CW3 of the Caerphilly County Borough Local Development Plan up to 2021 - Adopted November 2010.

Advisory Note(s)