

Application Number: 24/0129/COU

Date Received: 05.03.2024

Applicant: Mr R Kopec

Description and Location of Development: Change the use from a 3 bedroom dwelling to a 4 bedroom HMO C4 property - Arosfa 48 High Street Pengam Blackwood NP12 3SZ

APPLICATION TYPE: Full Application

SITE AND DEVELOPMENT

Location: The application site is located on 48 High Street, in Pengam.

Site description: The property is a terraced, two-storey dwelling in a mainly residential area. There is a country park on the opposite side of High Street with undeveloped land to the rear of the site. The dwelling is served by a rear lane access.

Development: The proposed development is for the conversion of the property from a three bedroom dwelling into a four bedroom HMO property. The existing dining room on the ground floor is to be converted to a bedroom with the 3 bedrooms at first floor level retained as is. There would be no external alterations to the building.

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 site is located within the settlement boundary.

Policies: 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 12th Edition (February 2024); 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 required.

COAL MINING LEGACY

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

CONSULTATION

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

Environmental Health Manager - No objections.

Senior Engineer (Drainage) - No objections.

ADVERTISEMENT

Extent of advertisement: The application was advertised by means of neighbour letter, in addition to a site notice being erected.

Response: A number of responses were received, in the form of objections.

Summary of observations: The responses can be summarised as the impact of the proposed conversion on adjacent residents and members of the public's safety and wellbeing, this can be broken down into:

Impact on adjacent properties and resident's amenity.

Impact on the nearby primary school.

Impact on safety of wider area.

Impact on adjacent and wider highway network.

Impacts on the environment.

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?
None.

EU HABITATS DIRECTIVE

Does the development affect any protected wildlife species? No.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Is this development Community Infrastructure Levy liable? Not liable.

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 street scene, as well as highway considerations.

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 existing floor plans depict a three-bedroom property, with a kitchen, living room and dining room at ground floor, with all three bedrooms at first floor level. The sole change as can be seen is the ground floor dining room being adjusted to an additional bedroom.

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, 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 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.

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. 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 that are not already present on site.

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. None of these three total HMO'S is currently located within the Pengam Ward and this therefore means that the percentage 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 the local ward 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 Pengam.

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 objections received.

Comments from public: Objections regarding impact on amenity and highway network addressed above. Objections regarding safeguarding relating to potential occupiers of the HMO have not been considered, this is not a matter for planning to be concerned with, purely the nature of the change of use from a dwelling to a HMO. The number of HMO properties in the borough and ward has been established as being extremely low and this addition would not take this above any threshold.

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) has been amended to take account of Future Wales and PPW Edition 12 has also been published on 7th February 2024. In reaching the conclusion below full account has been taken of both Future Wales and PPW Edition 12 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:
AMENDED PROPOSED FLOOR PLANS (received 29/04/2024).
AMENDED SITE LOCATION PLAN (received 05/03/2024).
PARKING LAYOUT (received 18/04/2024)
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.