

SECTION A – MATTERS FOR DECISION

Planning Applications Recommended For Approval

<u>APPLICATION NO:</u> P2019/5420	<u>DATE:</u> 12/09/19
PROPOSAL:	Change of use from residential dwelling (C3) to a 5 bedroom H.M.O. (C4) and a two storey rear extension
LOCATION:	14 Elba Crescent, Crymlyn Burrows, Swansea SA1 8QQ
APPLICANT:	Mr A. Bointon
TYPE:	Change of Use
WARD:	Coedffranc West

BACKGROUND INFORMATION

Ward Councillor Helen Ceri Clarke requested on 21st October 2019 that the application be reported to Planning Committee (in summary) on the grounds that there will be an over-intensification of HMO properties in Crymlyn Burrows to above 20% which will have a detrimental effect on the overall feel and appearance of the village; an adverse impact on community cohesion; further exacerbate the problems experienced by permanent residents in respect of noise, litter, parking issues and antisocial behaviour at the properties already approved for HMO status; and that there is a very real danger of it becoming the sort of place that families will not wish to purchase property in, meaning that it eventually becomes a village of transient population with no investment in the community or civic life.

This request was subsequently discussed at a Committee call-in panel with the Chair, Cllr Paddison, where it was agreed that the application should be determined at Planning Committee.

LINK TO RELEVANT PLANS/ REPORTS

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

SITE AND CONTEXT

The application site is located at 14 Elba Crescent, Crymlyn Burrows which comprises a two-storey semi-detached property currently in Class C3 (dwelling) use.

The property is located within the Crymlyn Burrows settlement limit and is bounded by residential dwellings to the east and west, the A483 to the south and industrial land to the north. There is also a lane to the rear of the property. There is an existing garage which is accessed off the rear lane which will be demolished to facilitate this application.

DESCRIPTION OF DEVELOPMENT

This is a full planning application for the change of use of the property from a dwelling (Use Class C3) to a House of Multiple Occupation (HMO) (Use Class C4) incorporating five bedrooms. The proposal also includes a two storey rear extension.

The proposed extension will be 5.4 metres in width, 2.7 metres in depth and will have a flat roof to the height of 5.43 metres. The extension will provide space for a lounge on the ground floor and a bedroom on the first floor. There will only be fenestration on the rear elevation of the extension and the materials used will match the existing dwelling.

Three car parking spaces will be provided in the rear garden area (following demolition of an existing garage) with access off the existing rear lane. Cycle parking is also proposed.

In support of the application the applicant has provided a statement setting out their intentions for the property, and specifically stating that the potential tenants would not be students but professional lecturers, tutors and professional IT persons involving personnel mainly but not exclusively from the Netherlands and Belgium on 4 and 6 week secondments.

PLANNING HISTORY

The property has no planning history.

CONSULTATIONS

Coedffranc Town Council - Object on the following grounds:

1. Members believe that there are too many HMO's in Crymlyn Burrows
2. Parking concerns for extra residents as there is already an issue due to the university and existing HMO's and the application site cannot accommodate all the parking spaces required for the proposal
3. The residents feel as if they are being pushed out of the area and what provision will be made for the residents that remain in the area.

Head of Engineering &Transport (Highways) – Initial concerns as parking spaces shown were not of adequate size (since addressed).

Environmental Health (Noise) - No objection, subject to conditions

Biodiversity Section – No objection

REPRESENTATIONS

The neighbouring properties were consulted on 2nd October 2019 with a site notice also displayed on the same date.

In response, to date 7 no. representations have been received in total from 7 different properties with the issues raised summarised as follows: -

- Concerns that an additional HMO will lead to a detrimental impact on Crymlyn Burrows, which is already in decline.
- 'Studentification' will have a detrimental impact on character, social cohesion/ stability, family values and on private property values, contrary to Council's vision of creating sustainable communities.
- Any amount of HMO's over 10% will be a concentration of HMO's in the area and the students will bring a different set of values with them than the host community and that a balanced community would become unbalanced.
- The development could cause further parking problems where there are already parking problems due to the university students and HMO university students.
- Concerns regarding potential noise antisocial behaviour of the students, and vandalism.
- Concerns regarding an increase of rubbish in relation to the dwellings in addition to rubbish thrown in the street and the potential to attract rats. The houses and gardens are turning into eyesores.
- The village is a ghost town during student holidays and there is plenty of student accommodation being built in Swansea

- Concerns over the state of the rear lane and any further vehicular traffic could cause flooding to the objectors property
- Concerns over the extension as it would be constructed over the objectors kitchen and would prevent light to the objectors garden and close to the objectors bedroom window

REPORT

National Planning Policy

- [Planning Policy Wales](#)
- [Technical Advice Notes](#)

Technical Advice Note 12: Design

Local Planning Policies

The Development Plan for the area comprises the Neath Port Talbot Local Development Plan which was adopted in January 2016, and within which the following policies are of relevance:

Topic based Policies

- **Policy SC1** Settlement limits
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design

Supplementary Planning Guidance

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)

EIA and AA Screening

As the development is not Schedule 1 or Schedule 2 Development under the EIA Regulations, a screening opinion is not required for this application.

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, social cohesion, the amenities of neighbouring residents and highway safety.

Principle of Development

Background Information

As background, it is of note that in February 2016 the Welsh Government introduced changes to the Town and Country Planning (Use Classes) Order to create a new use class for Houses in Multiple Occupation (HMO) (Class C4). The Use Class C4 in broad terms covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities, such as the proposals set out within this submission.

The change to the Use Classes Order therefore served to bring the change of use of dwellings (which fall in Class C3) to HMO's within the control of Planning Authorities by making such changes subject to planning permission. The reason for the change in the Use Class Order followed a recognition that, in some parts of the Country, the number of HMOs within an area was having an adverse impact upon the character of an area.

Having regard to the above, it is acknowledged that concentrations of HMOs can, in some instances, lead to a range of cultural, social and economic changes in a community and that high concentrations have the potential to create local issues. The Council does not, however, currently have any specific local Policies aimed at preventing the spread of HMOs at present. This is due largely to the absence of any significant historical issue in the area, and the introduction of the C4 Use Class post adoption of the LDP.

Background Information - Previous Applications

Members will recall that a number of applications have previously been reported to Committee on 2nd October 2018 (no. 17 Elba Crescent) and 11th June 2019 (no's 3 and 38 Elba Crescent).

All of the above applications were approved, the conclusion being reached on each proposal that there were no grounds to refuse the application on

the basis of unacceptable impact upon residential amenity or over concentration of HMOs, having particular regard to the percentage and spatial distribution of HMOs present in the existing area. Nevertheless, Members were advised that the HMO situation in Crymlyn Burrows would continue to be monitored / investigated.

Evolving National Policy Context

Welsh Government issued [Planning Policy Wales](#) Edition 10 in December 2018 in a substantially revised form developed around the goals embodied in the Well-being of Future Generations (Wales) Act 2015. This includes a significant emphasis on placemaking and the creation of sustainable places and their role in improving the well being of communities. Indeed, PPW10 emphasises that one of the "Key Planning Principles" is "Creating & sustaining communities", noting that:

"The planning system must work in an integrated way to maximise its contribution to well-being. It can achieve this by creating well-designed places and cohesive rural and urban communities which can be sustained by ensuring the appropriate balance of uses and density, making places where people want to be and interact with others. Our communities need the right mix of good quality/well designed homes, jobs, services, infrastructure and facilities so that people feel content with their everyday lives."

It goes further to add that Social Considerations include:

- who are the interested and affected people and communities;
- how does the proposal change a person's way of life, which can include:
 - how people live, for example how they get around and access services;
 - how people work, for example access to adequate employment;
 - how people socialise, for example access to recreation activities; and
 - how people interact with one another on a daily basis
- who will benefit and suffer any impacts from the proposal;
- what are the short and long-term consequences of the proposal on a community, including its composition, cohesion, character, how it functions and its sense of place; and
- how does the proposal support development of more equal and more cohesive communities.

When referring to housing (at 4.2.1), PPW also emphasises the need for Councils to "make informed development management decisions that focus on the creation and enhancement of Sustainable Places". In this regard, it is considered that Planning has an important role in ensuring not only that new development creates places, and communities, but also that existing communities are protected and enhanced, and that cohesive communities are retained.

Evolving Local Context

Although it is emphasised that it not directly relevant to this Authority or its decisions, it is also of note that the City & County of Swansea (CCS) adopted its LDP in February 2019, which now includes a HMO Policy, accepted by the LDP Inspectors, and based on local background evidence, notably a report by an independent company called Lichfields.

That background evidence report, while focussing on CCS, is nevertheless of relevance insofar as it identifies the wider national context, and also the issues surrounding Swansea University (including the Bay campus which lies within NPT).

That report notes that: -

- HMOs represent an efficient use of building resources, where a single house can be fully utilised to provide accommodation for multiple people.
- Notwithstanding their positive contributions and important socio-economic role, areas with high densities of HMOs can also be characterised by problems with community cohesion, higher levels of noise and waste complaints, and place a strain on services
- The positive impacts of HMOs are realised and, with rising pressures from the increased number of students, the need for affordable and flexible housing tenancies, and the changes to Housing Benefit, their role within the housing market is increasingly important.

The analysis undertaken by Lichfields identified a correlation between areas with high densities of HMOs and community cohesion issues. These negative impacts were summarised as:

1. Higher levels of transient residents, fewer long term households and established families, leading to communities which are not balanced;
2. Isolation for the remaining family households in areas with very high concentrations of HMOs;
3. Reduction in provision of community facilities for families and children, in particular pressure on the viability of schools through falling rolls;
4. Issues of anti-social behaviour, noise, burglary and other crime;
5. Increased pressure regarding on-street parking, although this might be expected in City Centre fringe locations;
6. Reduction in the quality of the local environment and street scene as a consequence of increased litter, lack of suitable refuse storage, refuse left on the street, fly tipping, increased levels of housing disrepair in the private rented sector, and high numbers of letting signs.

As a consequence of this research, CCS now has an adopted HMO Policy in their LDP. However, the complexity of assessing whether any proposed change of use has a harmful impact on local character or community cohesion is demonstrated by the varying criterion in their Policy, which includes a requirement (outside of their HMO Management areas - these being existing areas of high HMO concentration) for any proposal not to result in more than 10% of all residential properties within a 50m radius of the proposal being HMOs, and within 'small streets' for a proposal to not "create a disproportionate over-concentration of HMOs within that street". In addition to specifying % rates within designated areas, the policy also requires an assessment of whether the development would have an unacceptable adverse impact caused by noise nuisance and general disturbance.

The supporting text to their Policy is also relevant to a wider understanding of the issue, insofar as it emphasises that there is a need for future HMO provision to be managed sustainably in the interests of fostering cohesive communities, including avoiding instances of over-concentration of HMO properties to the detriment of residential amenity and community balance. These objectives are equally pertinent to consideration of this application.

It also emphasises that "National research has identified 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.

While it is again emphasised that the CCS Policy context described above is not directly relevant to this assessment, the approach itself is considered to have merit insofar as it is an evidence-based approach that provides a robust rationale for applying a 10% threshold for all areas outside their HMO Management Area. This does not mean, however that anything over 10% is unacceptable or harmful as a matter of principle given the need to still demonstrate the harm of such concentrations and the absence of a policy within NPT.

Assessment of Current Application

In the absence of a HMO Policy, this application (like others that have preceded it) has to be determined in line with current LDP Policies. In this respect it is emphasised that the application site is located within the settlement limits defined by Policy SC1 of the LDP and therefore the principle of residential development (albeit a Class C4 HMO use rather than a Class C3 dwelling house) would be acceptable subject to an assessment of its general impacts. This includes consideration of any potential wider impacts on local character and social / community cohesion created by Class C4 uses, as well as other amenity / highway issues.

The wider assessment of the principle, however, should have regard to the local and national context described earlier, and it is especially notable that there is a need for this Authority to ensure that the years where there is a 'policy vacuum' between the adoption of our current LDP (in January 2016) and conclusion of the review (commencing 2020 and adoption in 2024) is not taken advantage of by developers to the extent that applications are progressed incrementally to the point where the character and cohesion of the local area could be irreparably harmed.

Current Situation

The 71 properties that combined make up Elba and Baldwin's Crescents lie in close proximity to the Swansea Bay Campus development, and it is considered appropriate that these are characterised for the purposes of this assessment as an individual settlement. Moreover, due to its proximity

to the Campus and its limited scale, it is considered to be a settlement which could be affected more readily by change in terms of demography and tenure. As such, it is considered that this area is more sensitive to change than, say, a larger settlement or city and town centre typology, where larger number of residential units in higher densities could absorb change at a higher percentage more readily.

It is within this context that the local residents have expressed concern over the impact of ongoing and rapid changes to the properties in the area. In particular, concern has been raised that 'studentification' will have a detrimental impact on character, social cohesion/ stability, family values and on private property values "contrary to the Council's vision of creating sustainable communities". In this respect they state that any amount of HMO's over 10% will be a concentration of HMO's in the area and the students will bring a different set of values with them than the host community and that "a balanced community would become unbalanced".

To emphasise the extent of local concern, a large number of representations have been received from members of the public on previous and current applications (7 no. to date on this application) together with the local Ward Member's objections, and these have increasingly raised concerns over the potential impact on the character and cohesion of the area caused by a concentration / number of HMO's. The local residents undoubtedly 'paint a picture' of a settlement which is increasingly being changed by the introduction of student houses ('studentification') with the associated impacts on local character, amenity and social cohesion.

Having regard to the guidance in PPW (4.2.1), which emphasises the need for Councils to "make informed development management decisions that focus on the creation and enhancement of Sustainable Places" it is considered that Planning has an important role in ensuring not only that new development creates places, and communities, but also that existing communities are protected and enhanced, and that cohesive communities are retained. Moreover, this appears on the face of it, particularly relevant in areas such as Elba / Baldwins Crescent where communities are small and under pressure from alternative development or uses, or where the scale and character of the area makes it more sensitive to change, or the perception of change that results in a loss of social cohesion and character.

A 10% 'tipping point' has been referred to earlier in this report, taken from national research "as a threshold beyond which a community can 'tip' from a balanced position in terms of demographic norms and impacts associated with this demographic change". Nevertheless, it is necessary to give significant weight - especially in the absence of a specific 10% HMO Policy - to the need to demonstrate whether a proposed change of use would result in harm, based on the existing character of the area. Accordingly, it is clear that the specific circumstances within an area will be paramount in determining if the level of HMO development will result in any significant impacts upon those material considerations previously identified, including impacts upon residential amenity, and social cohesion. In other words, there is no 'one size fits all' approach that can be robustly defended at appeal.

The following facts are thus pertinent to the overall assessment of harm: -

- The 'community' / 'settlement' is made up of only 71 properties, and is in very close proximity to the Swansea University Bay Campus;
- The settlement is under increasing pressure from proposed HMOs, which is increasing local concerns about the impact on the community and social cohesion.

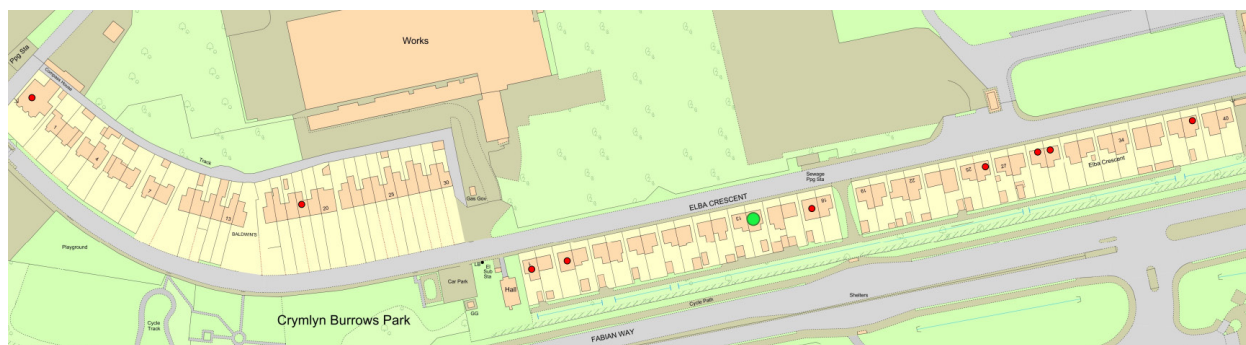
It should be noted that it can be difficult for Local Planning Authorities (LPAs) to determine and demonstrate how an application for an HMO will impact on the character and amenity of the surroundings, or indeed at what point the number of HMOs within an area will have an impact upon the existing community. The Welsh Government's 2015 report suggested that a 10% concentration of HMOs is generally when local residents start to express concerns over the intensification and where there could be an impact on the character of the community. LPAs with policies on HMOs across Wales generally have thresholds of between 10% and 20% depending on the evidence and local circumstances.

As noted earlier, however, the Council does not have any specific local Policies aimed at preventing the spread of HMOs (due largely to the absence of any significant historical issue in the area, and the introduction of the C4 Use Class following adoption of the LDP). Accordingly it is necessary to consider within the context of current LDP Policies, albeit having regard to other locally-based evidence/ assessment of the issues, whether the proposed conversion of this property would have adverse impacts on local character etc.

Within the above context, the Authority (through determination of recent applications at Planning Committee in October 2018 and June 2019) has accepted that the number and spatial distribution of HMOs currently in Elba Crescent and Baldwins Crescent would not have an unacceptable impact on local character. In terms of percentages, the existing situation is shown in the table below.

	Existing HMO No's
Elba Crescent (all)	7 out of 40 (17.5%)
Elba Crescent (1 - 18)	3 out of 18 (16.7%)
Elba Crescent (19 - 40)	4 out of 22 (18.2%)
Elba & Baldwins Crescent (all)	9 out of 71 (12.7%)

The spatial distribution of existing HMOs is shown on figure 1 below (existing HMO's are red with the application site a green dot)



Previous reports have emphasised to Members that Officers have liaised with Council Tax and Environmental Health colleagues, served Planning Contravention Notices (PCNs) on 12 properties, reviewed the register of electors, council tax records and undertaken visits to the area, including recent door-to-door visits, all of which sought to ascertain as far as possible a clearer picture of the number of existing (and potentially unauthorised) HMO's in this area.

Whilst it is acknowledged that the number of HMOs in any area could be higher, due to some HMOs not being licensed or known to the Council (which may have been used for shared accommodation prior to the change to the Use Classes Order), the reconciliation of a number of different databases provides confidence that we have an accurate picture of the current uses within each property in the two streets concerned. In

this respect, it is noted that there is concern in the local community about the potential impact of HMOs on local character and social cohesion, as well as associated potential issues arising from the use of HMOs by the student population from the nearby University campus.

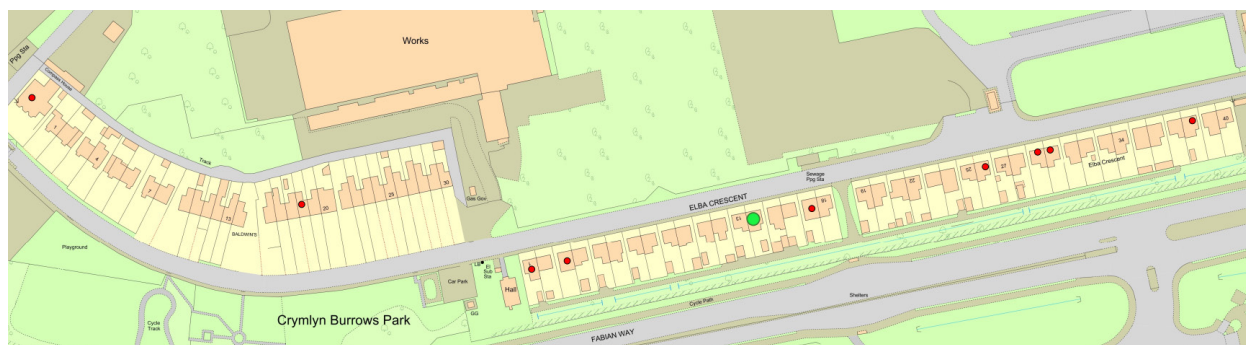
It remains the case that the conclusions reached by previous Planning Committees at that time were robust and sound.

The proposed change of use of this property would introduce one more HMO into Elba Crescent, taking the total of HMOs in Elba Crescent to 8 (20% of 40 properties). This is shown on the table below

	Existing HMO No's	Resulting HMO (incl. no. 14)
Elba Crescent (all)	7 out of 40 (17.5%)	8 out of 40 (20%)
Elba Crescent (1 - 18)	3 out of 18 (16.7%)	4 out of 18 (22.22%)
Elba Crescent (19 - 40)	4 out of 22 (18.2%)	4 out of 22 (18.2%)
Elba & Baldwins Crescent (all)	9 out of 71 (12.7%)	10 out of 71 (14.08%)

Taking this 'section' of Elba Crescent on its own, the figure would be 4 out of 18 (22.22%) but it is strongly considered that this would not be appropriate since there is a need to consider the distribution of HMOs within the street to ensure there would be no demonstrable impact on local character, and in this case this is best considered by looking at Elba Crescent as a whole, and then in smaller 'chunks' (such as the 50m distance advocated in the Swansea Policy).

Based on such an assessment, it is considered that the overall 20% figure for Elba Crescent, coupled with the location of this property away from any identified concentration or grouping of HMOs (see figure below), would mean that the proposal would not result in a disproportionate or unacceptable over intensification of HMO uses in this location.



Noise and Disturbance

Given the concerns expressed locally, as part of our ongoing assessment officers have engaged with colleagues in waste/ pest control and streetcare to ascertain whether there have been substantiated complaints relating to the impact of existing HMOs in this area. There have been 8 complaints from residents in the area, 5 of these related to current noise investigation on a single property which is being jointly investigated by the Council and Swansea University. It should be noted that the working relationship with the University to resolve and enforce these issues of “expected behaviour” of students has seen positive results. For example a letter from the University directly to the occupiers of the property saw an instant improvement of the issue.

Of the remaining 3 complaints 2 related to noise during the first week of student occupation only and were resolved by reporting the complaints to the landlords and the other was regarding an overgrown bush impinging on the pavement.

Relating to waste issues, a complaint was received previously which related to excess litter around the area, allegedly due to the student population, but action was not required, while the waste/pest control Enforcement Officer advises that he has had no dealings with any properties in either Elba Crescent or Baldwins Crescent in the last few years.

Nature of Proposed Occupancy

The applicant has provided a supporting statement which sets out the nature of occupancy proposed, which includes the following submissions:-

“We have been approached by a Dutch online software development company and members of the Erasmus University, Rotterdam who have agreed to develop software programmes to work in conjunction with Cardiff Bay University computer degree courses. This is intended to lead to employee training for an IT developer in the Neath Port Talbot area.”

The heads of agreement provides for an initial four year programme which will involve personnel mainly but not exclusively from the Netherlands and Belgium on 4 and 6 week secondments and will be lecturers, researchers and instructors.

The occupation will be mainly in the University term time but running over into the other periods. These are professional folk, rather than students and levels of occupancy are not specifically defined.

The fact that the tenants will not be students but professional lecturers, tutors and professional IT persons, will also help in supporting the application as these professional people are not the same as students in their social activities and habits.”

It is of note firstly that the Environmental Health Officer has clarified as follows:-

“Although the Planning definition of a HMO is directly aligned with that contained in Housing Act 2004 (i.e. 3 persons forming 2 or more households), section 254 of the Housing Act 2004 requires that a series of additional tests are applied when determining if a property is a HMO under that legislation. All of these tests contain the requirement that “the living accommodation is occupied by those persons as their only or main residence”. Based on the supporting statement provided by the applicant, the persons would only be residing here temporarily while maintaining homes elsewhere, and the property would not be a HMO and therefore subject to the additional powers contained in the Housing Act 2004 to deal with HMOs. Furthermore, as the property is occupied under licence rather than a tenancy, the property and its landlord would also not be subject to the requirements to register and licence under the Housing (Wales) Act 2016 (otherwise known as Rent Smart Wales). It is acknowledged however that if planning permission is granted, the property could resort to a more typical HMO occupation at any time, and that Housing Act 2004 powers would then come into use.”

These comments are noted, however as the EHO has clarified the Planning Definition of a HMO does not differentiate in the status or employment of the occupiers, and planning seeks only to control the use of land. Accordingly, while it is noted that the intention of the applicant is to have ‘professionals’ as tenants – which may be potentially less worrying to nearby residents in terms of potential for noise and disturbance for example – this cannot be controlled by the Planning Authority. It is also arguable that the proposed nature of occupation is itself more transient than student occupied properties, which could have different impacts in relation to community and social cohesion. In this respect, the proposal must be treated as an ‘open’ Class C4 HMO use.

Accordingly, based on the location and number of HMO uses within the area and within the current LDP Policy context, and in the absence of any sustained and upheld complaints in this part of Elba Crescent or the street(s) as a whole, there is no evidence to justify a refusal of this application on grounds relating to any unacceptable impact on local character or community cohesion.

Layout and Capacity of Property

The Environmental Health Officer has raised no objections to the principle of this development and states that he has no complaints relating to the property conditions or management of the existing HMO's in this area.

The accommodation of more than 6 residents within the property would take it outside of the C4 Use Class which would require further planning permission in itself. Nevertheless it is considered appropriate to ensure that the number of occupants is restricted by condition to a maximum of 5 (one per bedroom), both as a matter of principle relating to the intensity and character/ nature of use, but also for parking reasons (see below).

Impact on Visual Amenity

The proposed extension will be an infill extension and is relatively modest in size. While designed with a flat roof, which does not respect the character of the main dwelling, given its location at the rear and the significant screening to the main road beyond, it is considered that any impacts would not be significant or warrant refusal on design grounds.

It is further considered that the change of use to HMO (which is residential) would not have a detrimental impact upon the character and appearance of the surrounding area or street-scene.

Impact on Residential Amenity

While a flat roof two storey rear extension is proposed, this would be modest in scale and is separated from the adjoining property (no 13) by an existing single storey extension on the application property itself. The restricted height and depth of the extension would not cause any unacceptable issues with regard to residential amenity to the residents of either neighbouring property, complying with the Council's 45 degree guideline.

While noting concerns in respect of potential noise disturbance, having regard to the lack of objection from the Environmental Health Officer and the authorised use of the property as a dwelling - which is also semi-detached, thus limiting some of the issues that can arise in terraced properties in terms of noise transmission - it is considered that a five-bed HMO would not lead to unacceptable levels of noise, disturbance or nuisance that would warrant refusal of this application on such grounds.

Nevertheless an informative will be attached to any decision strongly advising the developer to consider Part E: 'Resistance to the passage of sound' of the Building Regulations 2000 especially in relation to the party wall between this property and the attached residential dwelling (since appropriate acoustic insulation of the party wall will help reduce the potential for complaints to the Local Authority regarding noise disturbance from the intensification of the use at this property). Local concerns over the type of future occupants of such a property are not considered to be matters to which weight can be given.

It is also considered that the provision of car parking to the rear (see below) would have no unacceptable impacts on residential amenity.

In light of the above it is considered that there are no justifiable grounds to refuse planning permission on residential amenity grounds.

Parking and Access Requirements and Impact on Highway Safety

Policy TR2 of the Local Development Plan states that permission will only be granted for development that is acceptable in terms of access, parking and highway safety. The policy also requires that sufficient parking and cycle provision is provided and that the development is accessible by a range of travel means.

During the application process there has been concern raised locally regarding the potential impact allowing this development would have on the existing local highway network, namely in traffic, parking congestion, cyclist and pedestrian safety.

The approved Parking Standards SPG does not specifically refer to Class C4 HMOs, but it is considered that the proposed residential use should be subject to the same parking standards as for the existing C3 dwellinghouse use, with both uses requiring a maximum of 3 parking spaces.

The Head of Engineering and Transport (Highways) has assessed the proposal and initially raised concerns regarding the size of the parking spaces shown on the plan. However, the parking spaces have since been increased in size, and this represents an improvement on the existing car parking provision serving the property. It is also noted that the property is in a sustainable location, being situated on the main A483 which is a local bus route and opposite the new University Campus within which an extensive bus service operates.

It is noted that whilst concerns have been raised about on street parking, it is likely that this is caused by non-resident traffic rather than from those living within the two streets. Traffic Regulation Orders are in place to control such parking and the area is patrolled regularly by traffic enforcement including the new camera vehicle which came into operation earlier this year.

Having regard to the above, it is concluded that the development would provide additional parking provision to serve the new use, and would represent an acceptable form of development in a sustainable location, such that there would be no unacceptable impact on either highway or pedestrian safety.

Other Matters

As identified earlier in this report, a number of objections were received in response to the publicity exercise by members of the public, the community council and the ward member. In response to the main issues raised, which have not been addressed elsewhere in this report, the following comments are made:

- Concerns that students are causing rubbish issues at the properties and in the street, both of which could attract rats, would not be a material planning concern and would be an environmental health issue.
- Concerns over a changing demographic with (alleged) introduction of a more transient population discouraging families and children have been addressed under the general principle section of this report, but in general terms are not matters which would justify refusal of this application unless the proposal individually or cumulatively was considered to demonstrably and adversely affect the character of the area.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposed development would not have a detrimental impact upon local character or community cohesion, on residential amenity or upon the character and appearance of the surrounding area, and there would be no adverse impact upon highway and pedestrian safety. Hence, the proposed development would be in accordance with Policies SC1, TR2 and BE1 of the Neath Port Talbot Local Development.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION: Approval with conditions

1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

2 The development shall be carried out in accordance with the following approved plans and documents:

Drawing No 062/05 - Proposed Elevations

Drawing No 552/04 - Proposed Floorplans

Drawing No 552/04 - Floorplans and roof plans

Drawing No 062/01 - Site Plans

Reason: In the interests of clarity.

Regulatory Conditions

3 Prior to first beneficial use of the property as a House in Multiple Occupation (HMO) the car parking spaces as shown on drawing number 062/01 titled Site Plan shall be provided on site, and shall be hard surfaced in porous asphalt or permeable block paving or a provision must be made to direct runoff water from the hard standing to a permeable or porous area within the curtilage of the dwelling house to a maximum gradient of no greater than 1 in 9 and no less than 1 in 150. The surface water shall not drain directly or indirectly into the highway drainage network. The parking spaces shall thereafter be retained in accordance with such approved details.

Reason

To ensure adequate parking provision for the development in the interests of highway safety and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

4 No more than 5 persons shall be resident at any one time within the House in Multiple Occupation hereby approved.

Reason:

For the avoidance of doubt and in the interests of amenity.

5 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.