

APPLICATION NO: 14/0187/10 (GW)
APPLICANT: Alabare Christian Care Centres
DEVELOPMENT: Change of use from Guest House (C1) to a house of multiple occupation for up to 6 people (in this instance veterans from the armed services). (Amended application details received 14th and 18th March 2014).
LOCATION: THE MOUNT, LANPARK ROAD, PONTYPRIDD, CF37 2DL
DATE REGISTERED: 18/03/2014
ELECTORAL DIVISION: Town (Pontypridd)

RECOMMENDATION: Grant

REASONS:

It is considered that the conversion of the existing building to a sui generis 'House in Multiple Occupation' constitutes an acceptable alternative use of a building within the settlement boundary and a sustainable location and complies with relevant national and local planning policies.

It is acknowledged that local residents and other parties have expressed a number of concerns regarding the proposed use, however it is considered that the applicant has submitted sufficient information in order to address these concerns and the use of appropriate conditions will prevent the facility having a significantly detrimental impact on the amenities of residents or the character of the area.

APPLICATION DETAILS

Full planning permission is sought, by Alabare Christian Care Centres, for the change of use of a guest house to a house in multiple occupation for 6 veterans from the armed services.

Alabare's website details they are a charity, founded in 1991, that works with vulnerable and marginalised people in our communities, to support them towards gaining the independence they need to move on with their lives. Part of their work includes the provision of homes for veterans of the armed services who are homeless. It is detailed they mainly operate in the South West of England, but are now moving into South Wales.

The applicant details the accommodation at the site is to fulfil a funding obligation from the Armed Forces Libor Fund as part of The Armed Forces Covenant to provide supported housing for homeless veterans. Members will be aware that Rhondda Cynon Taf Council has become one of only several local authorities in Wales to establish an Armed Forces Community Covenant. This is a statement of mutual support between a civilian community and its local Armed Forces Community.

Potential residents would be referred to Alabare from a variety of organisations such as Royal British Legion, Soldiers, Sailors and Airmen's (SSAFA), Royal Air Forces Association (RAFA), Regular Forces Employment Association (RFEA); ABF The Soldiers Charity; Housing Teams from Local Authorities; other local charities/charitable organisations, i.e. Huggard; Help for Heroes and Citizens Advice Bureau (CAB).

The referring organisation provides information relating to the individual veteran and the potential residents are then interviewed to ascertain suitability for Alabare's services, their willingness to interact with support plans and their 'fit' to the existing residents in the house, in order to maintain the dynamics of the house.

The responsibility to fill vacancies lies with the Alabare Support Team Leader and Support worker designated to the property. The residents stay in the property under an Alabaré Licence Agreement, which encompasses House Rules. Copies of these have been provided with the application.

The Alabare information leaflet provided, details veterans some time struggle to make the transition to civilian life and progress better when helped by people who understand the challenges they face. They could have problems including Post Traumatic Stress Disorder, mental and physical ill health, addictions, debt issues, relationship breakdowns and problems in finding a new career.

They further detail the whole house, lounge/dining room/ kitchen etc, garden and out buildings are for the use of the residents and is essentially their home for the duration of their stay with us. The residents would be responsible for the day to day upkeep/housekeeping of the entire property, outbuilding and garden. Alabare's veteran's houses all participate, by their choice, in communal cooking as a group and apart from that they live independently. Alabare's aim is to support people so that they can go back to living independently.

Residents can chose a bedroom if a number available, however if only one is available then there is no choice. When residents move on, other residents can ask to change rooms. The exception would be if a resident has mobility issues as the designated room is on the ground floor. The bedroom doors already have locks on them and they will remain.

The length of time residents would stay is dependant on the individual's requirements and abilities. On average it would be about 9 – 12 months before a resident moved on to either a move on property or their own independent accommodation.

Two non-residential support staff would be at the property on a regular basis Monday to Friday between 8am and 6pm. A house manager is allocated to the property, who would be in charge of the running of the proposed household as well as other Alabare properties. Their aim would be to help the residents achieve training, studying, work and going on to independent accommodation.

The application is accompanied by the following:

- Design and Access Statement.
- House Rules
- License Agreement
- Alabare Information Leaflet 'Wales Homes for Veterans – Supporting Homeless Veterans'

SITE APPRAISAL

The proposed site is a two storey, detached property positioned to the west and rear of 17 to 37 Lanpark Road which are at a lower level. The property is set within its own grounds with existing parking facilities to the northern area of the plot and a garden area to the south. A turret style building is located in the most northern point of the application site which accommodates a garage and workshop.

The property has 6 double bedrooms, all with en-suites; lounge; dining room; kitchen/living area; a large conservatory; basement laundry room and a cloakroom.

The road to the west of the plot is at a significantly higher level than the application site. On the opposite side of this road are further residential dwellings set above and a former school (Coed-y-Lan) which is currently being converted into residential dwellings.

PLANNING HISTORY

12/0915	The Grange, Tyfica Road, Pontypridd	Change of use of The Grange to a hostel (sui generis) to provide 10 no. accommodation units for young people (aged 16 to 24) along with support facilities. In addition, the construction of a new link building to provide a new entrance, reception and office space (90 sqm).	Refused 12/06/13 Appeal Allowed 31/10/13
09/0990	The Mount Guest House, 41 Lanpark Road, Pontypridd,	Change of Use from offices to guest house with live-in accommodation. Internal alterations, new conservatory to front elevation and re-building of lean-to at rear. (Amended plans received 23/10/09 - Alterations to boundary treatment, conservatory and parking layout)	Granted 12/11/09
85/1281	“ “	Office accommodation and car park	Objection 25/11/85

PUBLICITY

The application has been advertised via the erection of site notices and by direct neighbour notification. 32 letters of objection (from local residents and one from

Pontypridd Town Council) and one of comment have been received at the time of writing this report and the objections are summarised below:

- The use should be re-classified as a hostel.
- It should be in the 'sui generis' category.
- The proposed use is not suitable for the area. It will totally change the character of what is a quiet, residential area that includes a nearby school and the Deaf Institute.
- There is a hostel (The Grange) only a couple of hundred yards away that will house young people with drink and drug problems. There are also other similar facilities in the surrounding area such as DrugAid on Gelliwastad Road, needle exchange on Penuel Lane, Mill Street Homeless Hostel, Probation Service on Sardis Road, The Morning Star on The Graig and Women's Aid Hostels. Another would exacerbate problems within street and surrounding area. The town is at saturation point.
- Pontypridd is becoming the dumping ground for homeless people.
- There are instances of increased crime, bad language and other anti-social behaviour in the vicinity of other facilities such as The Morning Star. Residents do not let their children walk by the place because of fighting, drinking and other anti-social behaviour.
- Recent Joseph Rowntree Foundation research suggests that larger hostels of this type often result in residents acquiring more problems than they arrived with because of their association with residents with a wider variety of issues.
- A house of multiple occupation/hostel housing people with alcohol, drug, mental issues, ex-prisoners or sex offenders should not be placed with a hundred yards of a primary school. Our children would have to walk past the property every day.
- Children play in the street and their safety cannot be guaranteed that the occupants would not upset or abuse them.
- The area has a high number of vulnerable people such as the young, elderly and people from the deaf mission who would be at risk.
- It would result in increased crime and anti-social behaviour in the area.
- We pay a high price in council tax and it is not right these hostels should be set up in the vicinity.
- People leaving the armed services can have a number of drug, drink and mental health problems.
- Veterans need specialist care in surroundings tailored to their needs.
- Soldiers who have had Post Traumatic Stress Disorder can be unpredictable and violent. When mixed with military training and strength the results could be fatal.
- A report by the Howard league for penal reform states that military veterans are more likely to be convicted of sex offences than other people and more likely to commit violent offences.
- The local residents express fear and a sense of threat for their personal safety if the development were to go ahead. Many are considering moving.
- It would damage the local community.
- Concerned no staff at the property after 6pm weekdays and at the weekends.
- How would house rules be adhered to when there is no supervision.
- The facility would take other people not just veterans. The use of word 'veterans' is misleading.

- The number of people staying could rise above 6.
- The high turn over would increase the transient nature of the area and the insecurities of local residents.
- The garden overlooks my property and would result in privacy issues.
- It would result in increased noise and disturbance issues from people coming and going and at unsociable hours.
- The residents could use areas outside the house and garden for drinking and meeting.
- It would result in parking issues in the area.

CONSULTATION

Land Reclamation and Engineering – no objection.

Police Authority – no objection. There are no current anti-behaviour issues in the area of The Mount. Without knowing the identifies of the people who will live there it is impossible to assess the impact on this issue. However the application details the people would be vetted and from the armed services. This is above the operation of bail hostels in the area and the application should not be judged on the same criteria.

Public Health and Protection – no objection subject to conditions on the demolition of existing dwellings, hours of operation during construction, noise, dust and waste. A licence would be required under the Council's Houses in Multiple Occupation Scheme.

Transportation Section – no objection subject to a condition to retain the parking area.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is within settlement boundaries as defined by the Rhondda Cynon Taf Local Development Plan and is unallocated.

Policy CS2 - promotes residential development which respects the character and context of Principal Towns of the Southern Strategy Area and places an emphasis on focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings.

Policy AW1 - residential development proposals will be expected to contribute to meeting local housing needs and the supply of new housing will include the conversion of suitable structures to provide housing.

Policy AW2 - development proposals will only be supported in sustainable locations, including sites within the defined settlement boundary, which would not unacceptably conflict with surrounding uses, have good accessibility by a range of sustainable transport options, have good access to key services and facilities and support the roles and functions of the Principal Towns.

Policy AW5 - sets out criteria for new development and requires the scale, form and design of new development to have an acceptable effect on the character and appearance of the site and surrounding area and existing features of the built

environment to be retained. Development must have no significant impact on the amenities of neighbouring properties, be compatible with other uses in the locality and to design out the opportunity for crime and anti social behaviour. Development must be sustainable, have safe access and provide car parking in accordance with the Council's Supplementary Planning Guidance (SPG).

Policy SSA13 - permits development within the defined settlement boundaries provided it does not adversely effect the provision of open space and car parking in the surrounding area, the land is not contaminated or subject to land instability and is accessible to local services by a range of modes of sustainable transport, on foot or by cycle.

Supplementary Planning Guidance

Access, Circulation & Parking

National Guidance

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), and Chapter 8 (Transport) sets out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

PPW Technical Advice Note 18: Transport;
Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Proposed Use

The proposed use is residential and has been described in the application as a House in Multiple Occupation (for veterans of the armed services). There is no residential care proposed and therefore the use would not be in a C2 use class. The occupants would not likely to be living as a single household and therefore it is considered it would not be within a C3 use class. Therefore Members are advised this type of use is outside the normal use classes and would be a 'Sui Generis' use.

A number of objectors have pointed out the description should be 're-classified' as a hostel as in the 'The Grange' application. Whilst Members are advised that 'Houses in Multiple Occupation' covers a wide range of scenarios and that this proposal may have some similarities with a hostel (that houses groups such as the homeless); it is considered that the description would not need to be amended. The applicant has detailed residents would typically be there for 9-12 months and potentially longer, they would go through a vetting procedure before being offered a place at the premise, there would be no servicing in terms of laundry and food making and residents would be responsible for keeping the house clean and tidy. There would be little staff supervision with only support staff during the day time to help the residents manage day to day lives for example keeping appointments etc. The majority of the time the residents would use the accommodation as an independent place to live. Therefore from the information provided the use realistically comes somewhere between a House in Multiple Occupation and a hostel. Defining it as a hostel is considered would therefore not be needed and is not considered necessary.

Principle of the proposed development

The proposal is for a residential use (house in multiple occupation) within an established residential area of Pontypridd. The property has previously been used as offices and most recently as a guest house. It is thought originally the site would have been a single dwelling and visually the property mainly retains a residential character including a garden area and garage. The main alteration to this character could be argued is the relatively large car parking area at the rear, however this is not significant.

In policy terms, the building is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan. It is also easily accessible from Pontypridd Town Centre and the local facilities this provides and therefore fulfils a number of the policy criteria required for a sustainable location.

Therefore the principle of a residential use of this land would be acceptable subject to the following material planning considerations.

Increase risk and fear of crime and anti-social behaviour

A significant number of objections to the proposed use have been raised with regard the potential occupants and that the proposed use would result in increased crime and anti-social behaviour in the area. Further concern has been highlighted with regard the increased number of this type of facility within the Pontypridd area and the resulting cumulative impact on community safety and the character of Pontypridd.

Alabare detail the proposed use of the premise is for armed services veterans who have come out of service and find it difficult to adjust to civilian life and are homeless. This could have arisen from a number of factors. They also detail the residents of the property may have potential issues with regard to drug and alcohol addiction, mental health issues and social and relationship issues. Indeed there is also potential for the occupants to have previously been in prison.

Notwithstanding this the aim of the charity is to help support these individuals get back to education, work and ultimately move on to a more independent form of living. The residents are vetted, have to agree to the house rules and sign a license

agreement. From discussion with Alabare's agent about the type of use being proposed, it was detailed residents who did not fit in with the aims of the charity, license agreement and house rules would be moved on.

Objectors have pointed to a number of other similar residential establishments in the area including 'The Grange' which is having a cumulative impact on community safety in the Pontypridd area. They also detail the new proposal would further worsen the situation.

'The Grange' is in relatively close proximity to 'The Mount'. As Members will be aware this has not started operating yet and is currently undergoing refurbishment in relation to the recently permitted use as a 'sui generis' hostel (12/0915). Members are advised that the inspector for the appeal for 'The Grange' application concluded, "based on the evidence before me now that the proposal would not increase crime and anti social behaviour or increase noise and disturbance in relation to nearby residents and community based facilities."

Members are advised 'The Grange' appeal was made to the Planning Inspectorate as the Local Planning Authority refused planning permission based on similar objections that have been raised as a result of the public consultation exercise for this application. These are that:

- (i) The future occupants of the development would harm the character of the area and the quiet enjoyment experienced by local residents.
- (ii) On the basis of fear that the development would result in an increase in noise, disturbance, and crime and anti social behaviour resulting in a harmful effect on the local school, vulnerable adults, local children and the Glamorgan Mission to the Deaf.
- (iii) The development would increase fear amongst the local community exacerbating problems associated with crime and anti social behaviour in the area.

The Inspector for the appeal considered that these matters are linked issues and summarised under the heading of the second issue.

The Inspector summarised in the decision for 'The Grange' that, "public concerns about a development in the terms expressed above may be justified if there is a history of disturbing behaviour of a particular use of land, and if established as an objective concern, that the impact of this conduct would interfere with the reasonable use of adjoining land, but only where there is evidence that such consequences would occur. Furthermore, fears and concerns of public safety are objectively justified where there is an increased risk of danger which in turn is a matter of judgement over the acceptability of different degrees of risk."

Objectors have provided some information on crime and anti social behaviour associated with residential hostels in Pontypridd (including the Mill Street Hostel and The Morning Star in the Graig). Further details have been provided with regard an instance where a soldier (being treated for anxiety and depression) in the USA shot dead three colleagues and injured 16 others before killing himself. Whilst such instances are not welcomed, it is considered this type of behaviour has not been fully

substantiated in terms of their connection to existing residential establishments in the area and the connection to occupiers of the proposed dwelling. It is considered that the character of the proposed home would be somewhat different as the aim of the charity is to support the residents to get back to education, work and move on to independent accommodation.

On the issue of supervision there is little supervision at night and weekends and residents have raised this as a concern. Although residents of the proposed dwelling may have issues, the purpose of the use is not one of a secure residential institution where 24 hour care is provided. It is a dwelling for the individuals to be supported to civilian life and become more independent. Objectors have argued that veterans of the armed services may be a greater risk to the public due to the issues they experience. It is however considered conclusive evidence, in respect of the occupiers, has not been submitted to establish this as being the case or that would justify a refusal of the application on this issue.

Whilst acknowledging the concerns of residents and having regard to the Inspector's comments in the Grange appeal, Member's are advised that Alabare has indicated its willingness to accept a condition requiring a Management Plan to be submitted and approved by the Council. Such a Plan would set standards for the future operation of the facility and the establishment of a community forum allowing local residents to raise issues on how the facility is run.

As such it is considered there is little convincing evidence that the proposed use would result in a detriment to the character of the area and there is no substantiated evidence between the potential occupiers of the site and that they would increase crime and anti social behaviour in the area. Alabare have detailed the facility would be managed and the occupants would be vetted before they are given a place to ensure they are suitable for the accommodation. The residents will have to sign a license agreement and abide by the house rules or risk being moved out. Other sites mentioned also have different characteristics to the proposed and are different in terms of provision.

On the issue with regard the fears and concerns for public safety in relation to school children, vulnerable adults and visitors of the community facilities such as the Glamorgan Mission to the Deaf the inspector for 'The Grange' appeal detailed that these, "are not objectively justified....because the correlation between potential residents of the proposed facility and of any disturbing behaviour has not been established by any statistical information relevant to the particular area in which it would be situated. As a consequence there is a paucity of evidence to show that there is an increased risk of danger, let alone establish that the risk would be exacerbated." Therefore Members are advised in this instance the issue would be the same and this should not justify a refusal reason.

In summing up the above, the concerns and objections of the local residents are recognised and noted and the cumulative impact of this type of residential establishments is considered a material consideration. However, it is considered that sufficient justified evidence has not been provided to demonstrate that this proposal would result in increased crime and anti-social behaviour in relation to this

proposal and the cumulative impact taken with existing establishments. Therefore it is considered a refusal reason based on this issue is not warranted.

Impact on residential amenity and privacy

In respect of the impact on residential amenity the property has previously been used as offices and as a guest house. Objections have been raised with regard to loss of privacy and to noise and disturbance from increased comings and goings from the property. The property is a large dwelling and its use for 6 residents (including coming and going of support staff during the day) is considered would not increase significantly the impact on surrounding residents taking into account the existing and former uses of the property. Furthermore any overlooking would not be significantly different to the previous use as a guest house.

Therefore taking this into account it is considered the development would not result in a significant loss of amenity to neighbouring residents.

Impact on the character and appearance of the area

There are no proposed changes to the building externally and internally. Potentially the use may result in more cars parking at the property. However this is not considered would result in a significant visual impact on the character of the building or surroundings. Therefore this issue would not warrant a refusal reason.

Access and highway safety

The property benefits from a large parking area for 7 cars at the rear. It also has a garage which opens on to Lanpark Road. An objection has been raised from the public consultation exercise that it would result in increased parking issues in the area. No objection has been raised from the Transportation Section therefore in these terms the application would be acceptable.

Other issues

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation:

Public Health

Whilst the comments raised by the Public Health and Protection Section are appreciated, it is considered dust and waste matters can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning waste and dust issues. With regard to the requirement of a restriction on hours of construction it is considered a condition would not be necessary as limited works would be required in the change of use highlighted on the plans.

Property Values

With regard to the issue raised from the public consultation exercise that the value of properties would be affected by the proposal, Members are advised this is not a material planning consideration that could be used to determine the application.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of development, the impact on the

character and appearance of the area, impact on residential amenity and privacy and access and highway safety (Policies AW2, AW5, AW6 and Policy SSA13).

RECOMMENDATION: Grant

- 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 91 and 93 of the Town and Country Planning Act 1990.

- 2. The premises shall be used as a house in multiple occupation to provide accommodation for no more than 6 veterans of the armed services and shall not be used for any other purpose.

Reason: To clearly define the nature and scale of the use of the premises hereby approved in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 3. Prior to the beneficial occupation of the development hereby approved, a Management Plan for the operation of the premises shall be submitted to, in writing and approved by the Local Planning Authority. The Plan shall include the following:

- a) contact details for the duty manager;
- b) details of the general house rules relating to the conduct of residents;
- c) arrangements for the establishment of a community forum;
- d) a procedure for local residents to contact the facility manager; and
- e) The use of the premises shall be operated in accordance with the approved Management Plan.

Reason: To ensure the operation is run appropriately and in the interests of the living conditions of nearby residents in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 4. The parking area identified on the Site Plan received on the 18th March 2014 shall be retained for the purposes of parking only unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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