

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
18 JUNE 2015**

**REPORT OF: SERVICE DIRECTOR
PLANNING**

Part 1	Agenda Item No.7
<p>APPLICATION NO: 14/1702 - CHANGE OF USE TO AN 8 BEDROOM STUDENT HOUSE IN MULTIPLE OCCUPATION, 29 LLANTWIT ROAD, TREFOREST, PONTYPRIDD</p>	

1. PURPOSE OF THE REPORT

Members are asked to consider the report below and determine the application in accordance with the advice and recommendation.

2. RECOMMENDATION

To APPROVE the application in accordance with the advice given.

3. BACKGROUND

This application was originally reported to a meeting of the Development Control Committee on 14 May 2015 (see **APPENDIX A**). At that meeting Members deferred determination of the application to enable further discussion to take place with the applicant regarding the number of proposed bedrooms and parking issues (Minute 205 (3) refers).

The applicant has since been contacted about the number of bedrooms proposed at the property though in a letter dated 22 May has confirmed that he wishes the application to be considered on the basis of it seeking consent for an 8 bedroom house in multiple occupation as originally submitted. Also, it has been clarified that the application incorporates the provision of off-street parking by the development of a hardstanding in the rear garden area capable of accommodating up to 3 parked cars. This information is fully considered in the amended and up-dated report on the application presented below.

APPLICATION NO: 14/1702/10 (GW)
APPLICANT: Mr A Tugnet
DEVELOPMENT: Change of use to an 8 bedroom student house in multiple occupation.
LOCATION: 29 LLANTWIT ROAD, TREFOREST, PONTYPRIDD, CF37 1TY
DATE REGISTERED: 02/02/2015
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Grant

REASONS:

The proposal involves the conversion of a relatively large dwelling into an 8 bedroom House in Multiple Occupation, which is already in use as student accommodation. Although the proposal will further intensify the residential use of the dwelling, it will not impact significantly on the character of the area which is now predominantly characterised by student housing. The property is in close proximity to the University and to shops, services and to public transport links, therefore the occupants of the dwelling would not find it necessary to own cars. But, the proposal might result in greater demand for on-street parking in an area that already experiences high demand despite its accessibility to public transport. Off-street parking is proposed as part of this development although its provision will reduce the amount of garden space at the property. Taking into account all of the above, the proposal is on balance considered acceptable.

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing dwelling to a 'House In Multiple Occupation' (HMO) for students. Eight bedrooms would be provided across two floors. The ground floor would have three bedrooms (one with an en-suite), a toilet/shower room, living room and kitchen. Five bedrooms and two toilet/shower rooms would be provided on the first floor.

Following an initial objection from the Transportation Section an amended site plan has been submitted detailing a hardstand area in the garden providing 3no. parking spaces. This would be accessed via a rear lane.

It is noted a previous application (92/0056) for a change of use of the house to 9 bedsits, with a two storey extension and a rear parking area, was refused in 1992. Members are advised that this application was only refused on the impact of the proposed rear extension and parking area and not the principle of a HMO. The extension was considered to result in a loss of daylight to neighbouring properties. The rear parking area was refused as it would have resulted in: noise and disturbance to neighbours; the loss of the entire garden area and this would be

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detrimental to the residential character of the area and inadequate space for 4no. cars to successfully leave and enter the spaces.

The application is accompanied by the following:

- Design and Access Statement.

SITE APPRAISAL

The site is a detached property on a main road (Llantwit Road) on the edge of Treforest. It is situated between the side streets of Birchwood Avenue and Oakwood Street. Llantwit Road contains larger type properties, in an elevated position and on only one side, and from the application site the road leads towards the university and centre of Treforest.

Either side of the property are similar large dwellings. The property benefits from a rear garden, which has a stone rear wall. There is a rear lane access to the two side streets either side. These side streets are relatively short and contain traditional terraced dwellings.

The university is less than 400m away along Llantwit Road. This road contains single yellow lines on both sides, with a parking restriction Monday to Friday between 8am and 4pm.

PLANNING HISTORY

92/0056/10	29 Llantwit Road, Pontypridd	Two-storey rear extension, car park and change of use of house to 9 bedsits.	Refused 11/03/92
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PUBLICITY

The application has been advertised via the erection of site notices and by direct neighbour notification. One letter of objection has been received from Treforest Residents Association. The contents are summarised below:

- Treforest is overwhelmed with student accommodation, and a transient student population.
- Family and affordable housing has been lost on a huge scale in the community, whilst the borough has an urgent need for family and affordable housing.
- As a result, the character and amenity and social structure of the community has been seriously damaged. National and Local planning policy calls for planning authorities to create balanced, sustainable, inclusive and mixed communities.
- There is an excessively large overabundance of student HMOs in Treforest that threatens the very existence of the community.
- A student HMO is certain to cause problems for adjoining properties. This view is based on past evidence with noise, anti social behaviour, and alcohol and drug abuse a frequent problem with HMOs in the area.

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CONSULTATION

Countryside, Landscape and Ecology - no objection. A bat informative note must be provided on any planning permission.

Land, Reclamation and Engineering - no objection.

Police Authority – no objection.

Public Health and Protection – no objection subject to demolition of existing dwellings, hours of operation, noise, dust and waste.

Transportation Section – no objection subject to the provision of a parking area to the rear of the property and that surface water of the parking area shall not run on to the public highway.

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 – emphasises sustainable development. It promotes residential development with a sense of place which respects the character and context of Principal Towns and key settlements of the Southern Strategy Area. It aims to protect the culture and identify of communities by 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 AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

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Policy SSA13 - permits development within the defined settlement boundaries provided it does not adversely affect 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 and Parking

Design and Placemaking

Development of Flats – Conversions and New Build (Draft)

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), Chapter 7 (Economic Development) 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 11: Noise;

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.

Principle of the proposed development

Planning permission to convert to a House In Multiple Occupation (HMO) is normally required where a dwelling is occupied by more than 6 people living together. However, planning case law suggests it is a matter of fact and degree whether a material change of use has occurred even with numbers higher than 6. Members should also note that separate Building Regulations and a HMO license from the Council's Public Health Housing section are required. Public Health Housing is

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aware of the current planning application and has not raised any objections to the submitted plans detailing the standard of the proposed accommodation.

The proposal is for the conversion of existing residential accommodation to an 8 bedroom student HMO. Members should note the existing dwelling already has multiple occupations. It contains a 1 bedroom self-contained flat and the rest of the dwelling has three bedrooms that share communal living facilities. This proposal, is considered, would increase the properties current capacity from 4-5 persons to 8 persons and would be an intensive use of the property that requires the splitting of some rooms to relatively small bedrooms. Members are advised Draft Supplementary Planning Guidance produced by the Council on the conversion of existing buildings to more intensive residential developments requires such accommodation be of a high quality. Whilst this issue is a matter of judgement, in relation to the proposed accommodation, the floor space identified for each bedroom would meet the requirements of a HMO License through the Council's Housing Section (i.e. a minimum of 6.5m²). Furthermore, case law on such issues, suggests sub-standard internal standards, whilst maybe a concern to other sections of the Council, would only be a planning reason for refusal if it impacts on wider amenity or land use issues. In this case it is argued, as detailed within this report, that the accommodation being proposed would not have such a significant detrimental impact on these issues so as to warrant a refusal. It is also worth noting that the property could have been used even more intensively in the past than it currently is. The existing plans for a planning application from 1992, which proposed to convert the dwelling to a 9 bed HMO indicated it previously contained 7 bedsits (Ref 92/0056).

In planning policy terms, the building is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP). Policies AW1 and AW2 encourages residential development in these areas. It is also easily accessible to and from Treforest town centre, the University and nearby transport links (railway station and bus stops). This fulfils a number of the policy criteria required for a sustainable location.

One issue that is often raised with this type of application, and has been highlighted by Treforest Residents Association in their objection, is the affect on community balance. They argue the increasing amount of student accommodation in the area has resulted in the loss and lack of family and affordable homes, which they detail, is much needed in the area. Outside the University term time, it is considered, if a significant proportion of the community is vacated this may also lead to impacts on local businesses and services. Notwithstanding this it is also considered that students also add a significant amount to the local economy during the term time.

Policy CS2 aims to protect the culture and identity of communities and the LDP also looks to promote family and affordable housing. However there are no specific policies in the LDP that controls this type of HMO development.

National guidance also aims to balance social, economic and environmental issues.

In assessing the principle of the proposal, it is apparent there is an existing large student population living near to the University within the Treforest residential area. The property is already used as a more intensive use and as detailed above, up to 6 students living together as a single household at the property would not require planning permission.

Furthermore the Inspector for a recent appeal for student accommodation above Hoffi Coffi in Treforest (Ref 13/1215) covered the same issue. He stated, "There is large amount of student accommodation in the area of the appeal site. I note that the LDP promotes the provision of family and affordable housing in balanced and sustainable communities. However, there is no detailed evidence before me to explain how the proposal would have a negative impact, if indeed it would, on those members of the local community who are not students. I therefore give limited weight to the point."

As such it is considered the provision of additional bedrooms within this property would not have a significant impact on the issue of community imbalance to warrant a refusal.

Therefore, taking into account the above assessment, it is considered the proposed residential use of this land in principle would be acceptable subject to an assessment of the following other material planning considerations.

Impact on the character and appearance of the area

There are no proposed physical changes to the building externally. However the main concern with this type of development is how an intensified residential use of the property would visually impact on the surrounding character of the area. Llantwit Road contains a number of larger houses and is considered an attractive residential street. The property has previously been used as a relatively intensive student accommodation and the proposal would result in 8 people living in a single dwelling and sharing communal facilities. This would not require additional door bells and rubbish bins that sometimes affect the character of the area. Furthermore the division of rooms, particularly within the bay at the front (Bedrooms 1, 2, 6 and 7) would be carried out in a sympathetic manner and would not have a significant visual impact. It is considered the property would most likely continue to look like it currently does.

One issue that would have some impact on the character of the area is the proposed open hardstanding area for car parking at the rear, which would require the removal of an attractive rear stone wall. Members should note the previous application (92/0053) was refused on the impact of the loss of the garden on the character of the area. In these terms, it is considered the loss of the wall and the use of the land for parking would detract from visual qualities of the rear garden and boundary treatment, but has to be balanced against the need for meet demand additional car parking generated by the development, which is discussed later in this report.

In conclusion it is considered that the overall proposal would not result in a significant visual impact on the character of the building or surroundings, therefore would not warrant refusal for this reason.

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Impact on residential amenity

The property is located in a predominantly residential area; however it has previously been used as a more intensive residential use i.e. flat and separate shared dwelling. It is also noted the existing plans for the previous application (92/0056) indicated the property had 7 bedsit rooms. As such the property has seemingly already been used for a more intensive residential use and this would have some impact on the surrounding residents in these terms.

The objection raised by Treforest Residents Association points to a student house giving rise to noise and disturbance issues and drink and drug issues. Whilst greater noise and disturbance issues may rise from more intensive forms of housing, however, as detailed above the residential premise has been used intensively in the past. No objections have been raised from the Public Health and Protection Section and no neighbouring residents have written in separately objecting or indicating that there have been previous issues at the property. This seemingly points to its existing use not having been a significant concern to local residents in these terms. It is considered the additional bedrooms (over its previous use) while it would intensify the use would not result in a significant difference in the impact to that being proposed. The comments raised, relating to drug and drink abuse, from other HMO in the area are considered unsubstantiated. Whilst such issues could occur in residential areas and it could be argued they are more prevalent in student areas or areas with more intensive residential accommodation; there is no direct evidence to suggest previous or proposed occupiers of the application premise would have such issues or that the proposal would exacerbate the issue in the area. Therefore, it is considered, no substantiated evidence demonstrates the development would result in any significant noise and disturbance issues or drink and drug related issues. However if these arise as they could within any residential area they could be dealt with under other legislation or by the relevant law enforcement agencies.

Members should note the previous application (92/0053) was refused as the proposed hard standing area for car parking could result in noise and disturbance to the detriment of neighbouring amenity from coming and going of cars. It is noted the previous proposal detailed 4 parking spaces whilst this proposal details 3. Notwithstanding this, the coming and going is likely to be more intensive from the type of accommodation being proposed (if they have cars) than from a family use. The need for the parking area is further discussed in the 'Parking and Highway Safety' section below.

Overall, whilst the proposed intensified use of the property may well give rise to more comings and goings to and from the dwelling by occupants and visitors, it not considered that the development would not have a significant detrimental impact on the amenity of surrounding residents in this regard.

Access and highway safety

The application details a hard standing could be provided to the rear of the property. This would accommodate 3 vehicles, though in reality it is considered the configuration of the parking spaces in relation to that of the highway leading to and from the space means only two spaces will be capable of occupation at any one

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time. The Transportation Section has not objected to the proposal on the basis of off-street parking being provided.

Although it is acknowledged that students are less likely to be car owners, off-street parking provision to serve those occupant that do own cars would be an obviously beneficial, though it would result in the loss of the majority of outside amenity space at the property and would introduce vehicle parking to the rear of the property which could impact on neighbouring residential amenity with the coming and goings of residents (as discussed above). Members will note this was a concern in the previous application (92/0056) and was used in the refusal reasons.

The property is located within a short walk of the university campus and close to public transport links and shops and services in Treforest, but is an area that nevertheless experiences a high on-street parking demand. Providing parking facilities to meet this demand may encourage greater car use that could spill into the on-street parking areas. It is envisaged that residents, if they have cars, would most likely park in the most convenient place, i.e. on the streets surrounding the property. As such this could exacerbate on-street parking and the off-street parking area may not be used.

In summing up, it is recognised that the proposed intensified residential use could increase on-street parking in the area, therefore, the proposed provision of off-street parking would be a significant benefit in these terms that, on balance, would outweigh the effects of that provision in terms of its visual amenity, noise and disturbance impacts, and reduction in available garden space. It is therefore recommended that this parking provision is secured in the event of planning permission being granted.

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.

Conclusion

The application is, on balance, considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the development, the impact on the character and appearance of the area, the impact on residential amenity and access and highway safety. (policies AW1, AW2, AW5 and AW10).

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 Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

Drawing No. 04 – Proposed First Floor Plan received 17th March 2015.

Drawing No. 03-A – Proposed Ground Floor Plan received 17th March 2015.

and documents received by the Local Planning Authority on 2nd February 2015, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The development shall not be brought into beneficial use until space has been laid out within the site for vehicles to be parked in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The spaces shall be retained for the parking of vehicles thereafter unless otherwise agreed in writing with 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.

4. Surface water from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

APPENDIX A

APPLICATION NO: 14/1702/10 (GW)
APPLICANT: Mr A Tugnet
DEVELOPMENT: Change of use to an 8 bedroom student house in multiple occupation.
LOCATION: 29 LLANTWIT ROAD, TREFOREST, PONTYPRIDD, CF37 1TY
DATE REGISTERED: 02/02/2015
ELECTORAL DIVISION: Treforest

RECOMMENDATION: Grant

REASONS:

The proposal involves the conversion of a relatively large dwelling into an 8 bedroom House in Multiple Occupation, which is already in use as student accommodation. Although the proposal will further intensify the residential use of the dwelling, it will not impact significantly on the character of the area which is now predominantly characterised by student housing. The proposal might result in greater demand for on-street parking in an area that already experiences high demand for such parking. Additional off-street parking could be provided in the curtilage of the dwelling, but the property is in close proximity to the University and to shops, services and public transport links in Treforest, therefore the occupants of the dwelling would not necessarily require a car. In any event, it could be argued that not providing off-street parking would be beneficial in retaining garden space within the property and act as a disincentive to car ownership amongst occupants in an otherwise highly accessible location where on-street parking is at a premium, therefore on balance the proposal is considered acceptable.

APPLICATION DETAILS

Full planning permission is sought for the conversion of an existing dwelling to a 'House In Multiple Occupation' (HMO) for students. Eight bedrooms would be provided across two floors. The ground floor would have three bedrooms (one with an en-suite), a toilet/shower room, living room and kitchen. Five bedrooms and two toilet/shower rooms would be provided on the first floor.

Following an initial objection from the Transportation Section an amended site plan has been submitted detailing a hardstand area in the garden providing 3no. parking spaces. This would be accessed via a rear lane.

It is noted a previous application (92/0056) for a change of use of the house to 9 bedsits, with a two storey extension and a rear parking area, was refused in 1992. Members are advised that this application was only refused on the impact of the proposed rear extension and parking area and not the principle of a HMO. The extension was considered to result in a loss of daylight to neighbouring properties. The rear parking area was refused as it would have resulted in: noise and disturbance to neighbours; the loss of the entire garden area and this would be detrimental to the residential character of the area and inadequate space for 4no. cars to successfully leave and enter the spaces.

The application is accompanied by the following:

- Design and Access Statement.

Councillor Powderhill has requested the application be determined by Development Control Committee to look at the impact of the development on the area.

SITE APPRAISAL

The site is a detached property on a main road (Llantwit Road) on the edge of Treforest. It is situated between the side streets of Birchwood Avenue and Oakwood Street. Llantwit Road contains larger type properties, in an elevated position and on only one side, and from the application site the road leads towards the university and centre of Treforest.

Either side of the property are similar large dwellings. The property benefits from a rear garden, which has a stone rear wall. There is a rear lane access to the two side streets either side. These side streets are relatively short and contain traditional terraced dwellings.

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PLANNING HISTORY

92/0056/10	29 Llantwit Road, Pontypridd	Two-storey rear extension, car park and change of use of house to 9 bedsits.	Refused 11/03/92
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PUBLICITY

The application has been advertised via the erection of site notices and by direct neighbour notification. One letter of objection has been received from Treforest Residents Association. The contents are summarised below:

- Treforest is overwhelmed with student accommodation, and a transient student population.

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- Family and affordable housing has been lost on a huge scale in the community, whilst the borough has an urgent need for family and affordable housing.
- As a result, the character and amenity and social structure of the community has been seriously damaged. National and Local planning policy calls for planning authorities to create balanced, sustainable, inclusive and mixed communities.
- There is an excessively large overabundance of student HMOs in Treforest that threatens the very existence of the community.
- A student HMO is certain to cause problems for adjoining properties. This view is based on past evidence with noise, anti social behaviour, and alcohol and drug abuse a frequent problem with HMOs in the area.

CONSULTATION

Countryside, Landscape and Ecology - no objection. A bat informative note must be provided on any planning permission.

Land, Reclamation and Engineering - no objection.

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Public Health and Protection – no objection subject to demolition of existing dwellings, hours of operation, noise, dust and waste.

Transportation Section – no objection subject to the provision of a parking area to the rear of the property and that surface water of the parking area shall not run on to the public highway.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity.

Policy SSA13 - permits development within the defined settlement boundaries provided it does not adversely affect 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 and Parking

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Development of Flats – Conversions and New Build (Draft)

National Guidance

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Planning Policy Wales:

Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 7 (Economic Development) 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:

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REASONS FOR REACHING THE RECOMMENDATION

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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.

Principle of the proposed development

Planning permission to convert to a House In Multiple Occupation (HMO) is normally required where a dwelling is occupied by more than 6 people living together. However case law suggests it is a matter of fact and degree whether a material change of use has occurred even with numbers higher than 6. Members should also note that separate Building Regulations and a HMO license from the Council's Public Health Housing section are required. Public Health Housing is aware of the current planning application and has not raised any objections to the submitted plans detailing the standard of the proposed accommodation.

The proposal is for the conversion of existing residential accommodation to an 8 bedroom student HMO. Members should note the existing dwelling already has multiple occupations. It contains a 1 bedroom self-contained flat and the rest of the dwelling has three bedrooms that share communal living facilities. This proposal, is considered, would increase the properties current capacity from 4-5 persons to 8 persons and would be an intensive use of the property that requires the splitting of some rooms to relatively small bedrooms. Members are advised Draft Supplementary Planning Guidance produced by the Council on the conversion of existing buildings to more intensive residential developments requires such accommodation be of a high quality. Whilst this issue is a matter of judgement, in relation to the proposed accommodation, the floor space identified for each bedroom would meet the requirements of a HMO License through the Council's Housing Section (i.e. a minimum of 6.5m²). Furthermore, case law on such issues, suggests sub-standard internal standards, whilst maybe a concern to other sections of the Council, would only be a planning reason for refusal if it impacts on wider amenity or land use issues. In this case it is argued, as detailed within this report, that the accommodation being proposed would not have such a significant detrimental impact on these issues so as to warrant a refusal. It is also worth noting that the property could have been used even more intensively in the past than it currently is. The existing plans for a planning application from 1992, which proposed to convert the dwelling to a 9 bed HMO indicated it previously contained 7 bedsits (Ref 92/0056).

In policy terms, the building is located within the settlement boundary as identified in the Rhondda Cynon Taf Local Development Plan (LDP). Policies AW1 and AW2 encourages residential development in these areas. It is also easily accessible to and from Treforest town centre, the University and nearby transport links (railway station and bus stops). This fulfils a number of the policy criteria required for a sustainable location.

One issue that is often raised with this type of application, and has been highlighted by Treforest Residents Association in their objection, is the affect on community balance. They argue the increasing amount of student accommodation in the area has resulted in the loss and lack of family and affordable homes, which they detail, is much needed in the area. Outside the University term time, it is considered, if a

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significant proportion of the community is vacated this may also lead to impacts on local businesses and services. Notwithstanding this it is also considered that students also add a significant amount to the local economy during the term time.

Policy CS2 aims to protect the culture and identity of communities and the LDP also looks to promote family and affordable housing. However there are no specific policies in the LDP that controls this type of HMO development.

National guidance also aims to balance social, economic and environmental issues.

In assessing the principle of the proposal, it is apparent there is an existing large student population living near to the University within the Treforest residential area. The property is already used as a more intensive use and as detailed above, up to 6 students living together as a single household at the property would not require planning permission.

Furthermore the Inspector for a recent appeal for student accommodation above Hoffi Coffi in Treforest (Ref 13/1215) covered the same argument. He stated, "There is large amount of student accommodation in the area of the appeal site. I note that the LDP promotes the provision of family and affordable housing in balanced and sustainable communities. However, there is no detailed evidence before me to explain how the proposal would have a negative impact, if indeed it would, on those members of the local community who are not students. I therefore give limited weight to the point."

As such it is considered the provision of additional bedrooms within this property would not have a significant impact on the issue of community imbalance to warrant a refusal.

Therefore, taking into account the above assessment, it is considered the proposed residential use of this land in principle would be acceptable subject to an assessment of the following other material planning considerations.

Impact on the character and appearance of the area

There are no proposed physical changes to the building externally. However the main concern with this type of development is how an intensified residential use of the property would visually impact on the surrounding character of the area. Llantwit Road contains a number of larger houses and is considered an attractive residential street. The property has previously been used as a relatively intensive student accommodation and the proposal would result in 8 people living in a single dwelling and sharing communal facilities. This would not require additional door bells and rubbish bins that sometimes affect the character of the area. Furthermore the division of rooms, particularly within the bay at the front (Bedrooms 1, 2, 6 and 7) would be carried out in a sympathetic manner and would not have a significant visual impact. It is considered the property would most likely look like it currently does.

One issue that would have some impact on the character of the area is the proposed open hardstanding area for car parking at the rear, which would require the removal of an attractive rear stone wall. Members should note the previous application

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(92/0053) was refused on the impact of the loss of the garden on the character of the area. In these terms, it is considered the loss of the wall and the use of the land for parking would detract from visual qualities of the rear garden and boundary treatment. The need for the parking area is however further discussed in the 'Parking and Highway Safety' section below. As such this issue could be acceptable.

In conclusion the proposal (without the hardstanding) is considered would not result in a significant visual impact on the character of the building or surroundings. Therefore this issue would not warrant a refusal reason.

Impact on residential amenity

The property is located in a predominantly residential area; however it has previously been used as a more intensive residential use i.e. flat and separate shared dwelling. It is also noted the existing plans for the previous application (92/0056) indicated the property had 7 bedsit rooms. As such the property has seemingly already been used for a more intensive residential use and this would have some impact on the surrounding residents in these terms.

The objection raised by Treforest Residents Association points to a student house giving rise to noise and disturbance issues and drink and drug issues. Whilst greater noise and disturbance issues may rise from more intensive forms of housing, however, as detailed above the residential premise has been used intensively in the past. No objections have been raised from the Public Health and Protection Section and no neighbouring residents have written in separately objecting or indicating that there have been previous issues at the property. This seemingly points to its existing use not having been a significant concern to local residents in these terms. It is considered the additional bedrooms (over its previous use) while it would intensify the use would not result in a significant difference in the impact to that being proposed. The comments raised, relating to drug and drink abuse, from other HMO in the area are considered unsubstantiated. Whilst such issues could occur in residential areas and it could be argued they are more prevalent in student areas or areas with more intensive residential accommodation; there is no direct evidence to suggest previous or proposed occupiers of the application premise would have such issues or that the proposal would exacerbate the issue in the area. Therefore, it is considered, no substantiated evidence demonstrates the development would result in any significant noise and disturbance issues or drink and drug related issues. However, if these arise as they could within any residential area they could be dealt with under other legislation or by the relevant law enforcement agencies.

Members should note the previous application (92/0053) was refused as the proposed hard standing area for car parking could result in noise and disturbance to the detriment of neighbouring amenity from coming and going of cars. It is noted the previous proposal detailed 4 parking spaces whilst this proposal details 3. Notwithstanding this, the coming and going is likely to be more intensive from the type of accommodation being proposed (if they have cars) than from a family use. The need for the parking area is further discussed in the 'Parking and Highway Safety' section below. As such it is considered this issue could be acceptable.

Taking into account the above assessment, it is therefore considered that the development (without the hardstanding) would not have a significant detrimental impact on the amenity of surrounding residents.

Access and highway safety

The application details a hard standing could be provided to the rear of the property. This would accommodate 3 vehicles. The Transportation Section would not object if this is provided.

Whilst this may be a benefit, it would also result in the loss of the majority of outside amenity space and would introduce vehicle parking to the rear of the property which could impact on neighbouring residential amenity with the coming and goings of residents (as discussed above). Members will note this was a concern in the previous application (92/0056) and was used in the refusal reasons.

It is considered students are less likely to own cars and there may be a reduced need to provide off-street parking. In addition, the property is located within a short walk of the university campus and close to public transport links and shops and services in Treforest. Members are advised that the Transportation Section have not suggested a condition requiring that the accommodation is restricted to students.

Furthermore, as the Transportation Section detail, the area has a high parking demand and providing parking facilities may encourage greater car use that could spill into the on-street parking areas. It is envisaged that residents, if they have cars, would most likely park in the most convenient place, i.e. on the streets surrounding the property. As such this could exacerbate on-street parking and the off-street parking area may not be used.

In summing up, it is recognised that the proposed intensified residential use could increase on-street parking in the area. However, on balance and taking into account the above argument, it is considered the impact of the development would not be significant enough to warrant a refusal reason. In addition, it is recognised the proposed off-street parking could be a benefit in these terms. However based on the argument that the open parking area would have a detrimental visual impact and could result in potential noise and disturbance, it is recommended that if permission were to be granted, that the off-road parking should not be required. Members are advised that if permission were granted there are no permitted development rights to provide the hard standing, as the proposed use does not benefit from such rights.

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

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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.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the principle of the development, the impact on the character and appearance of the area, the impact on residential amenity and access and highway safety. (policies AW1, AW2, AW5 and AW10).

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 Sections 91 and 93 of the Town and Country Planning Act 1990.

- 2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

Drawing No. 04 – Proposed First Floor Plan received 17th March 2015.
 Drawing No. 03-A – Proposed Ground Floor Plan received 17th March 2015.

and documents received by the Local Planning Authority on 2nd February 2015, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

- 3. The proposed off-street parking area identified on Drawing no. 5, received on the 17th March 2015, is not to be provided as part of this permission.

Reason: In the interest of visual and residential amenity in accordance with policy AW5 of The Rhondda Cynon Taf Local Development Plan.

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LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

18 JUNE 2015

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 14/1702 -
CHANGE OF USE TO AN 8
BEDROOM STUDENT HOUSE IN
MULTIPLE OCCUPATION, 29
LLANTWIT ROAD, TREForest,
PONTYPRIDD**

OFFICER TO CONTACT

**MR G WATKINS
(Tel. No. 01443 494754)**

See Relevant Application File