

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 14 RHAGFYR 2017
ON 14 DECEMBER 2017**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal De/
Area South*



**Cyngor Sir Gâr
Carmarthenshire**
County Council



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	14 DECEMBER 2017
REPORT OF:	HEAD OF PLANNING

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APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/36019
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Application Type	Full Planning
Proposal & Location	CHANGE OF USE FROM A C3 DWELLING TO C4 USE HOUSE OF MULTIPLE OCCUPATION (5 PERSON) AT 69 PANTEG, LLANELLI, SA15 3TE

Applicant(s)	MR & MRS GARTH & SUZANNA ASHFORD & VANGELOR, CWM COTTAGE, CWMFFERWS ROAD, TYCROE, SA18 3TU
Agent	BEACON ARCHITECTURAL SERVICES - MR ROBERT JAMES, TY MONDAS, TRECATTLE, BRECON, LD3 8UH
Case Officer	Paul Roberts
Ward	Felinfoel
Date of validation	29/08/2017

CONSULTATIONS

Llanelli Rural Council – Have confirmed that they have no objection to the application subject to suitable provision being made for vehicle parking and refuse storage.

Local Members – County Councillor B Thomas objects to the application on the basis that the occupiers will be car users who will place extra pressure on an area already suffering from a lack of parking provision for residents. Cllr Thomas highlights that the property is located on the main road (A476) through Felinfoel which has double yellow lines on both sides of the road.

Head of Transport – Has raised no objection to the application.

Head of Housing and Public Protection – Has not commented on the application to date.

Natural Resources Wales – Have raised no objection to the application from a flood risk perspective.

Neighbours/Public – The neighbouring properties within the vicinity of the site have been notified of the application. In response, five letters of representation have been received from neighbouring residents who object to the proposal and raise the following concerns:-

- The parking situation on Panteg is already congested, over-subscribed and dangerous with no room to house another multi-occupancy dwelling.

- The application property only has a single one-car garage which is in a poor state of repair.
- There are parking restrictions either side of the road fronting the property.
- The need for 2 parking spaces for dwellings of three bedrooms or over.
- The proposal will affect neighbouring residents' parking facilities and affect access for emergency vehicles.
- The pathway leading from the house to the rear garage passes over neighbouring land which is the subject of a right of way and the use of the property as a house of multiple occupation (HMO) will impact upon the wear and tear of the neighbouring property.
- Locking the gate on the shared rear pathway would restrict access to neighbouring properties who also use the path.
- Increased traffic frequency and noise levels from the occupants and visitors and the impact upon adjoining properties.
- The need for a HMO license.
- Provision is made for cycle stands in the garage with no parking provision.
- Lack of need for a HMO.
- Concerns regarding future use of the property as a drug rehabilitation or mental health half way house premises.
- Harmful to the residential character of the area.
- Location of site in flood risk area.

RELEVANT PLANNING HISTORY

There is no relevant planning history.

APPRAISAL

THE SITE

The application site consists of a vacant mid-terraced house located off the northern side of the A476 in Panteg, Felinfoel close to its junction with Tanyrhodyn Road. It consists of three bedroom accommodation set over two floors and has a partly pitched and flat roof design. The property has the benefit of a long rear garden space that slopes up towards its rear boundary which is contiguous with Tanyrhodyn Road. There is a single garage at the rear of the garden that is accessed via a pathway leading from the house and has a vehicle access onto Tanyrhodyn Road.

The surrounding area is primarily residential in character consisting of a predominance of terraced houses. There are a number of services and facilities in the locality of the site including a petrol station, shops public house and a number of schools.

THE PROPOSAL

The application seeks full planning permission for the change of use of the application property from a dwelling to a HMO for 5 persons. The proposal will involve a number of internal alterations to the property which include the conversion of the down stairs living room to two new bedrooms. The downstairs kitchen and living area are to be retained while three bedrooms and a bathroom are to be provided on the first floor. The only external alteration to the property will be the insertion of a new first floor bathroom window in the rear elevation.

The rear garage is to be retained for parking purposes and bicycle and refuse storage facilities are to be provided in a small store building currently located at the rear of the house.

PLANNING POLICY

In the context of the current development control policy framework the site is located within the development limits of Llanelli as defined in the Carmarthenshire Local Development Plan (LDP). The following policies of the Plan are relevant to the proposal.

Policy H3 of the Plan permits proposals for the conversion or sub-division of appropriate dwellings into flats or dwellings of multiple occupation provided they do not result in the over-intensification of use and suitable parking provision is available. Proposals must also ensure that, where applicable, the architectural quality, character and appearance of the building is safeguarded and its setting not unacceptably harmed.

Policy GP1 is a general policy which promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Development proposals should also not have a significant impact on the amenity of adjacent land uses and properties or give rise to any parking or highway safety concerns on the site or within the locality.

Policy TR3 relates to the highway design and layout considerations of developments and states that proposals which do not generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. It also requires that appropriate parking be provided in accordance with the required standards.

THIRD PARTY REPRESENTATIONS

Five letters of objection have been received from neighbouring residents while the local member has also raised concerns regarding the proposal. The principal issues relating to the application are addressed below.

A common ground of concern amongst respondents is the lack of car parking available to serve the proposal and it is suggested that the occupiers of the development will place extra pressure on an area that already suffers from a lack of car parking. The Authority's parking standards do not have category relating specifically to HMOs, however, the conversion of houses to bedsits or self-contained apartments require 1 space per bedroom up to a maximum of 3 and 1 space per 5 units for visitors, giving a total of 4 spaces.

Whilst the development only includes provision for a single parking space in the existing rear garage, the Head of Transport in considering the proposal has given considerable weight to the sustainable location of the property. It is located in the built up area of Llanelli on one of the main routes (A476) into the town with good accessibility to public transport facilities and cycle routes as well being in walking distance of a range of services and facilities. Appendix 5 of the parking standards allows for a reduction in parking requirements in sustainable locations and the applicant has, upon the request of the Head of Transport, provided a travel plan for the prospective occupiers of the development which encourages them to use sustainable modes of transport. The Head of Transport has confirmed his acceptance of the travel plan and, based upon the sustainable location of the site, has raised no objection to the application from a parking or highway safety perspective.

The proposal is therefore considered to be in accord with the objectives of policies H3, GP1 and TR3 of the LDP in terms of its parking and highway impacts.

Turning to the concerns regarding the impact upon the residential character of the area. The modest scale of the development will mean that it will be compatible with neighbouring residential uses while the minimal level of external alterations will ensure there will be no visual harm to the character and appearance of the property or surrounding street scene. Furthermore, the Head of Public Protection has offered no objection to the proposal from a noise or residential amenity perspective. In this regard the proposal is in compliance with the requirements of policies GP1 and H3 of the LDP.

Concerns regarding potential damage to neighbouring properties and a private right of way at the rear of the property are civil matters that are outside the scope of planning control. As to the issue of licensing, it is mandatory for local authorities to license all HMOs that are three storeys or more with five or more occupants. The property will not therefore need to be licensed, however notwithstanding this the Head of Housing and Public Protection does have powers to regulate the property and the standard of accommodation as well as any anti-social behaviour that may arise.

Comments regarding the potential future use of the property as a drug rehabilitation or mental health half way house premises are unfounded and not relevant to the current proposal. From a flooding perspective, although the front part of the house is located within Zone C2 as defined by the development advice map referred to under Technical Note 15 :Development and Flood Risk (2004), Natural Resources Wales have raised no objection to the conversion of the existing house to a HMO.

CONCLUSION

On balance, and after careful examination of the site and its surrounding environs, together with the representations received to date, the proposal is considered to be an acceptable and appropriate use for the area and will be in keeping with its character and appearance. The proposal will provide a beneficial use for a vacant and underused building and will be well related to the existing services and facilities in the area. Moreover, it will be within easy access of existing public transport facilities. The proposal will not result in material harm to the living conditions of neighbouring residents and the Head of Transport has raised no objection from a parking or highway safety perspective.

Based on the foregoing, the proposal is in compliance with the policies of the Authority's LDP and is accordingly put forward with a favourable recommendation.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced no later than the five years from the date of this permission.
- 2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans:-
 - 1:50, 1:100 and 1:1250 scale existing floor plans, section, elevations and location plan (01) received on 10 August 2017;
 - 1:50 and 1:100 scale proposed floor plans, section and elevations (02A) received on 13 November 2017; and
 - Travel plan received on 22 November 2017.
- 3 The garage shown on the 1:50 and 1:100 scale proposed floor plans, section and elevations (02A) received on 13 November 2017 shall retained for parking purposes in accordance with the details shown.
- 4 The premises shall be used as a house in multiple occupation for no more than five persons and shall not be used for any other purpose.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure that only the approved works are carried out.
- 3 In the interests of highway safety.
- 4 To ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

NOTE(S)

- 1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- 2 Comments and guidance received from consultees relating to this application, including any other permissions or consents required, is available on the Authority's website (www.carmarthenshire.gov.uk).