

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 / 643694 / 643513

Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Thursday 1 August 2024

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held Hybrid in the Council Chamber - Civic Offices, Angel Street, Bridgend, CF31 4WB on **Thursday, 8 August 2024 at 10:00.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are also Town and Community Councillors, in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008. Members having such dual roles should declare a personal interest in respect of their membership of such Town/Community Council and a prejudicial interest if they have taken part in the consideration of an item at that Town/Community Council contained in the Officer's Reports below.
3. Site Visits
To confirm a date of Wednesday 18/09/24 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
4. Approval of Minutes 3 - 8
To receive for approval the minutes of the 27/06/24
5. Public Speakers
To advise Members of the names of the public speakers listed to speak at today's meeting (if any).
6. Amendment Sheet
That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

By receiving this Agenda Pack electronically you will save the Authority approx. £1.04 in printing costs

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|-----|--|---------|
| 7. | <u>Development Control Committee Guidance</u> | 9 - 12 |
| 8. | <u>P/24/286/FUL - 30 St Marie Street, Bridgend, CF31 3EE</u> | 13 - 26 |
| 9. | <u>P/24/233/FUL - 65 Acland Road, Bridgend, CF31 1TF</u> | 27 - 40 |
| 10. | <u>Appeals</u> | 41 - 46 |
| 11. | <u>Supplementary Planning Guidance</u> | 47 - 50 |
| 12. | <u>Training Log</u> | 51 - 52 |
| 13. | <u>Urgent Items</u> To consider any other item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency. | |

Note: This will be a Hybrid meeting and Members and Officers will be attending in the Council Chamber, Civic Offices, Angel Street Bridgend / Remotely via Microsoft Teams. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you would like to view this meeting live, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643148 / 643694 / 643513 / 643159.

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

A R Berrow
 RJ Collins
 C L C Davies
 RM Granville
 H Griffiths
 S J Griffiths

Councillors

D T Harrison
 M L Hughes
 D M Hughes
 M R John
 MJ Kearn
 W J Kendall

Councillors

J Llewellyn-Hopkins
 J E Pratt
 R J Smith
 A Wathan
 R Williams
 S Easterbrook

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 JUNE 2024

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON THURSDAY, 27 JUNE 2024 AT 10:00

Present

Councillor RM Granville – Chairperson

A R Berrow
D M Hughes

S Easterbrook
A Wathan

M L Hughes

J E Pratt

Present Virtually

S Griffiths

R Williams

M John

M Kearn

Apologies for Absence

C L C Davies, H Griffiths, D T Harrison and R J Smith

Officers:

Gillian Dawson
Lee Evans
Craig Flower
Stephen Griffiths
Rhodri Davies
Robert Morgan
Jonathan Parsons
Oscar Roberts
Dion Douglas
Philip Thomas
Leigh Tuck

Lawyer - Planning
Principal Planning Officer
Minor Applications Team Leader
Democratic Services Officer - Committees
Development & Building Control Manager
Principal Officer Highways Development Control
Group Manager Development
Business Administrative Apprentice - Democratic Services
Senior Planning Officer
Development Control Team Leader
Principal Officer Highways Development

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 JUNE 2024**Declarations of Interest**

Councillor Alan Wathan – Agenda item 8 – Personal interest – As a Member of Bridgend Town Council, but who takes no part in planning matters.
 Councillor Steven Easterbrook - Agenda item 8 – Personal interest – As a Member of Bridgend Town Council, but who takes no part in planning matters.
 Councillor Jonathan Pratt – Agenda item 8 – Prejudicial interest – As the Applicant had been known to him for a considerable number of years.
 Councillor Pratt left the meeting for the consideration of this item.
 Councillor Richard Williams – Agenda item 9 – Personal interest – As the Applicant was known to him.

22. Site Visits

| | | |
|--------------------|-------------------------|---|
| Decision Made | <u>RESOLVED:</u> | That a date of Wednesday 07/08/24 be confirmed for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson. |
| Date Decision Made | 27 June 2024 | |

23. Approval of Minutes

| | | |
|--------------------|-------------------------|--|
| Decision Made | <u>RESOLVED:</u> | That the minutes of a meeting of the Development Control Committee dated 10 May 2024, be approved as a true and accurate record. |
| Date Decision Made | 27 June 2024 | |

24. Public Speakers

| | |
|---------------|---|
| Decision Made | The following public speakers addressed the applications so referenced below:- Councillor Steven Bletsoe (Ward member) - P/24/39/FUL – 11 Park Street, Bridgend, CF31 4AX Richard Hopkins (applicant) |
|---------------|---|

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 JUNE 2024

| | |
|--------------------|--|
| | Mark Sage (objector) - P/24/206/FUL – 1, South View, Pontycymmer, CF32 8LE (The Lawyer, Planning read out Mr. Sage's statement in his absence. Elena Davies (applicant) |
| Date Decision Made | 27 June 2024 |

25. Amendment Sheet

| | |
|--------------------|---|
| Decision Made | <u>RESOLVED:</u> That the Chairperson accepted the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated. |
| Date Decision Made | 27 June 2024 |

26. Development Control Committee Guidance

| | |
|--------------------|--|
| Decision Made | <u>RESOLVED:</u> That the report outlining the Development Control Committee guidance be noted. |
| Date Decision Made | 27 June 2024 |

27. P/24/39/FUL - 11 Park Street Bridgend CF31 4AX

| | |
|---------------|---|
| Decision Made | <u>RESOLVED:</u> That the above Planning application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:- <u>Proposal:</u> |
|---------------|---|

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 JUNE 2024

| | |
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| | <p>Change the first floor from short term lets (use class C6) to 7 bed HMO (sui generis) and retention of 3 separate short term let units on ground floor (use class C6).</p> <p>Subject to the inclusion of the following Advisory Note:-</p> <p>'As referred to by Bridgend Town Council and as discussed at the Development Control Committee meeting, the applicant is invited to liaise with Heneb - the Trust for Welsh Archaeology to investigate the existence of an underground passageway between this building and Newcastle Hill.'</p> |
| Date Decision Made | 27 June 2024 |

**28. P/23/148/FUL - Land at Parc Crescent & Brocastle Avenue Waterton
Bridgend CF31 3XU**

| | |
|--------------------|--|
| Decision Made | <p><u>RESOLVED:</u> That the above Planning application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:-</p> <p><u>Proposal:</u></p> <p>Erection of a building for vehicle preparation, maintenance, and MOT testing (Class B2/B8) and associated offices, external storage yard, loading and unloading areas, parking, vehicle wash, landscaping, re-grading, and associated works.</p> <p>Subject to the inclusion of the following additional condition being included as part of the consent:-</p> <p>27. No development including any further site clearance shall take place until a written method statement for site clearance, following the recommendations and conclusions of the Preliminary Ecological Appraisal by Soltys Brewster – February 2023 and Arboricultural Method Statement by ArbTS dated February 2023 has been submitted to and agreed in writing by the Local Planning Authority. All clearance works shall strictly follow the agreed method statement.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of visual and residential amenity and to promote nature conservation</p> |
| Date Decision Made | 27 June 2024 |

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 JUNE 2024

P/24/206/FUL - 1 South View Pontycymmer CF32 8LE

| | |
|--------------------|--|
| Decision Made | <p><u>RESOLVED:</u> That the above Planning application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:-</p> <p><u>Proposal:</u> Retention of living accommodation in the existing detached double garage</p> |
| Date Decision Made | 27 June 2024 |

30. Appeals

| | |
|--------------------|---|
| Decision Made | <p>(1) That the appeal received since the last meeting of the Committee as shown in the report of the Corporate Director – Communities, be noted.</p> <p>(2) That the Inspector appointed by the Welsh Ministers to determine the following appeal has directed that the Enforcement Notice be upheld :-</p> <p>Appeal No. – CAS-02897-L2J7K9 (1992)</p> <p>Subject of Appeal – Unauthorised use of land: Land adjacent to Bryn Llefrith Farm, Maesteg.</p> |
| Date Decision Made | 27 June 2024 |

31. Training Log

| | |
|--------------------|--|
| Decision Made | <p><u>RESOLVED:</u> That the report of the Corporate Director – Communities outlining the Member Training Programme for the coming months, be noted.</p> |
| Date Decision Made | 27 June 2024 |

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32. Urgent Items

| | |
|--------------------|-----------------------------|
| Decision Made | There were no urgent items. |
| Date Decision Made | 27 June 2024 |

To observe further debate that took place on the above items, please click this [link](#)

The meeting closed at 11.34 am.

I submit for your consideration the following report on Planning Applications and other Development Control matters based upon the information presently submitted to the Department. Should any additional information be submitted between the date of this report and 4.00pm on the day prior to the date of the meeting, relevant to the consideration of an item on the report, that additional information will be made available at the meeting.

For Members' assistance I have provided details on standard conditions on time limits, standard notes (attached to all consents for planning permission) and the reasons to justify site inspections.

STANDARD CONDITIONS

On some applications for planning permission reference is made in the recommendation to the permission granted being subject to standard conditions. These standard conditions set time limits in which the proposed development should be commenced, and are imposed by the Planning Act 1990. Members may find the following explanation helpful:-

Time-limits on full permission

Grants of planning permission (apart from outline permissions) must, under section 91 of the Act, be made subject to a condition imposing a time-limit within which the development authorised must be started. The section specifies a period of five years from the date of the permission. Where planning permission is granted without a condition limiting the duration of the planning permission, it is deemed to be granted subject to the condition that the development to which it relates must be begun not later than the expiration of 5 years beginning with the grant of permission.

Time-limits on outline permissions

Grants of outline planning permission must, under section 92 of the Act, be made subject to conditions imposing two types time-limit, one within which applications must be made for the approval of reserved matters and a second within which the development itself must be started. The periods specified in the section are three years from the grant of outline permission for the submission of applications for approval of reserved matters, and either five years from the grant of permission, or two years from the final approval of the last of the reserved matters, whichever is the longer, for starting the development.

Variation from standard time-limits

If the authority consider it appropriate on planning grounds they may use longer or shorter periods than those specified in the Act, but must give their reasons for so doing.

STANDARD NOTES

- a. 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 that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) 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 that 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 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.

- b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.
- c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter).

To determine whether your building work requires Building Regulation approval, or for other services

provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at:- <http://www.bridgend.gov.uk/buildingcontrol>

- d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development
- e. Attention is drawn to the provisions of the party wall etc. act 1996
- f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.
- g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136
- h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)
- i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>
- j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)
- k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk
- l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.
- m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-
 - re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
 - increase in the volume of a building;
 - increase in the height of a building;
 - changes to the site area;
 - changes which conflict with a condition;
 - additional or repositioned windows / doors / openings within 21m of an existing building;
 - changes which alter the nature or description of the development;
 - new works or elements not part of the original scheme;
 - new works or elements not considered by an environmental statement submitted with the application.
- n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

- o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.
- p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

THE SITE INSPECTION PROTOCOL

The Site Inspection Protocol is as follows:-

Purpose

Fact Finding

Development Control Committee site visits are not meetings where decisions are made and neither are they public meetings. They are essentially fact finding exercises, held for the benefit of Members, where a proposed development may be difficult to visualise from the plans and supporting material. They may be necessary for careful consideration of relationships to adjoining property or the general vicinity of the proposal due to its scale or effect on a listed building or conservation area.

Request for a Site Visit

Ward Member request for Site Visit

Site visits can be costly and cause delays so it is important that they are only held where necessary normally on the day prior to Committee and where there is a material planning objection.

Site visits, whether Site Panel or Committee, are held pursuant to:-

1. a decision of the Chair of the Development Control Committee (or in his/her absence the Vice Chair) or
2. a request received within the prescribed consultation period from a local Ward Member or another Member consulted because the application significantly affects the other ward, and where a material planning objection has been received by the Development Department from a statutory consultee or local resident.

A request for a site visit made by the local Ward Member, or another Member in response to being consulted on the proposed development, must be submitted in writing, or electronically, within 21 days of the date they were notified of the application and shall clearly indicate the planning reasons for the visit.

Site visits cannot be undertaken for inappropriate reasons (see below).

The Development Control Committee can also decide to convene a Site Panel or Committee Site Visit.

Inappropriate Site Visit

Examples where a site visit would not normally be appropriate include where:-

- purely policy matters or issues of principle are an issue
- to consider boundary or neighbour disputes
- issues of competition
- loss of property values
- any other issues which are not material planning considerations
- where Councillors have already visited the site within the last 12 months, except in exceptional circumstances

Format and Conduct at the Site Visit

Attendance

Members of the Development Control Committee, the local Ward Member and the relevant Town or Community Council will be notified in advance of any visit. The applicant and/or the applicant's agent will also be informed as will the first person registering an intent to speak at Committee but it will be made clear that representations cannot be made during the course of the visit.

Officer Advice

The Chair will invite the Planning Officer to briefly outline the proposals and point out the key issues raised by the application and of any vantage points from which the site should be viewed. Members may ask questions and seek clarification and Officers will respond. The applicant or agent will be invited by the Chairman to clarify aspects of the development.

The local Ward Member(s), one objector who has registered a request to speak at Committee (whether a local resident or Town/Community Council representative) and a Town/Community Council representative will be allowed to clarify any points of objection, both only in respect of any features of the site, or its locality, which are relevant to the determination of the planning application.

Any statement or discussion concerning the principles and policies applicable to the development or to the merits of the proposal will not be allowed.

Code of Conduct

Although site visits are not part of the formal Committee consideration of the application, the Code of Conduct still applies to site visits and Councillors should have regard to the guidance on declarations of personal interests.

Record Keeping

A file record will be kept of those attending the site visit.

Site Visit Summary

In summary site visits are: -

- a fact finding exercise.
- not part of the formal Committee meeting and therefore public rights of attendance do not apply.
- to enable Officers to point out relevant features.
- to enable questions to be asked on site for clarification. However, discussions on the application will only take place at the subsequent Committee.

Frequently Used Planning Acronyms

| | | | |
|--------|---|-------|---|
| AONB | Area Of Outstanding Natural Beauty | PEDW | Planning & Environment Decisions Wales |
| APN | Agricultural Prior Notification | PPW | Planning Policy Wales |
| BREEAM | Building Research Establishment Environmental Assessment Method | S.106 | Section 106 Agreement |
| CA | Conservation Area | SA | Sustainability Appraisal |
| CAC | Conservation Area Consent | SAC | Special Area of Conservation |
| CIL | Community Infrastructure Levy | SEA | Strategic Environmental Assessment |
| DAS | Design and Access Statement | SINC | Sites of Importance for Nature Conservation |
| DPN | Demolition Prior Notification | SPG | Supplementary Planning Guidance |
| EIA | Environmental Impact Assessment | SSSI | Site of Special Scientific Interest |
| ES | Environmental Statement | SUDS | Sustainable Drainage Systems |
| FCA | Flood Consequences Assessment | TAN | Technical Advice Note |
| GPDO | General Permitted Development Order | TIA | Transport Impact Assessment |
| LB | Listed Building | TPN | Telecommunications Prior Notification |
| LBC | Listed Building Consent | TPO | Tree Preservation Order |
| LDP | Local Development Plan | UCO | Use Classes Order |
| LPA | Local Planning Authority | UDP | Unitary Development Plan |
| PINS | Planning Inspectorate | | |

REFERENCE: P/24/286/FUL

APPLICANT: D2 Propco Limited Millgrove House, Parc Ty Glas, Llanishen, Cardiff, CF14 5DU

LOCATION: 30 St Marie Street Bridgend CF31 3EE

PROPOSAL: Change of use of dwelling house to House in Multiple Occupation (HMO) Use Class C4 (maximum 4 persons)

RECEIVED: 15 May 2024

DESCRIPTION OF DEVELOPMENT

The Applicant, D2 Propco Limited is seeking planning permission for the change of use of this three-bedroom property from Class C3 (Dwellinghouse) to Class C4 (House in Multiple Occupation), as a four-bedroom unit with communal shared facilities at 30 St Marie Street, Bridgend.

In general terms, Class C4 covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities (Houses in Multiple Occupation: Practice Guidance, March 2017).

The submitted plans show that the existing building will be altered internally to accommodate the change of use. The three upstairs bedrooms will be retained unaltered. One of the reception rooms at the front of the property will be converted into a fourth bedroom. A shared kitchen, lounge/diner and communal bathroom at ground level will serve the occupants of the property.

The existing amenity space at the rear of the property will be used for waste and recycling storage along with a new cycle store. Two bat boxes will be installed along with one bird box on the rear elevation of the property.

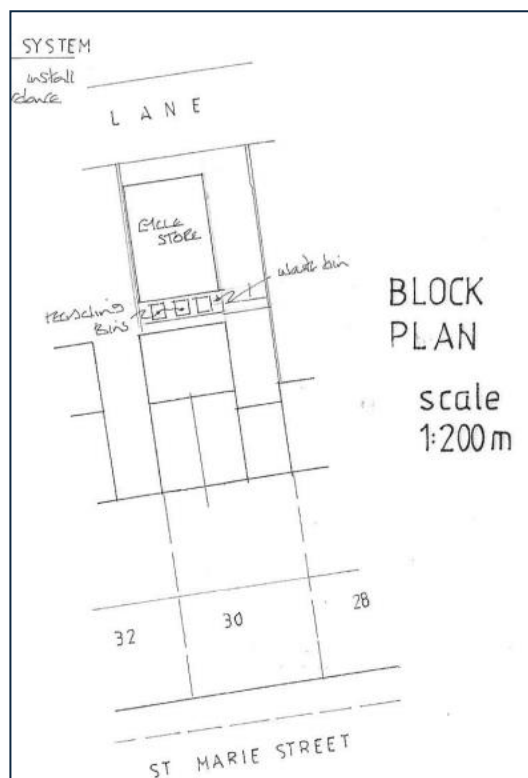


Figure 1 - Proposed Block Plan

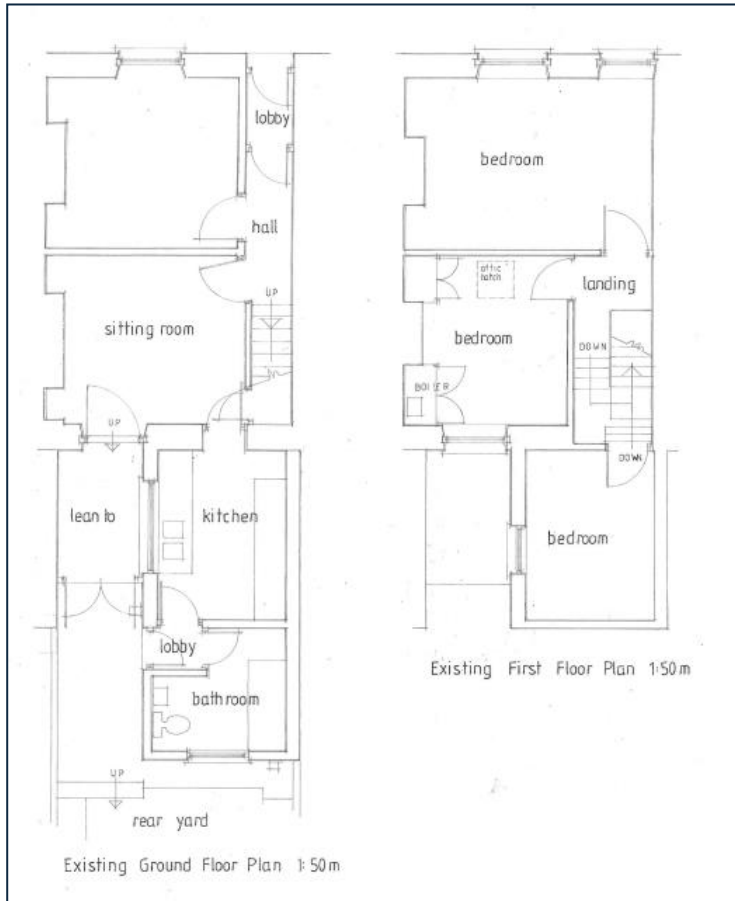


Figure 2 - Existing Floor Plan

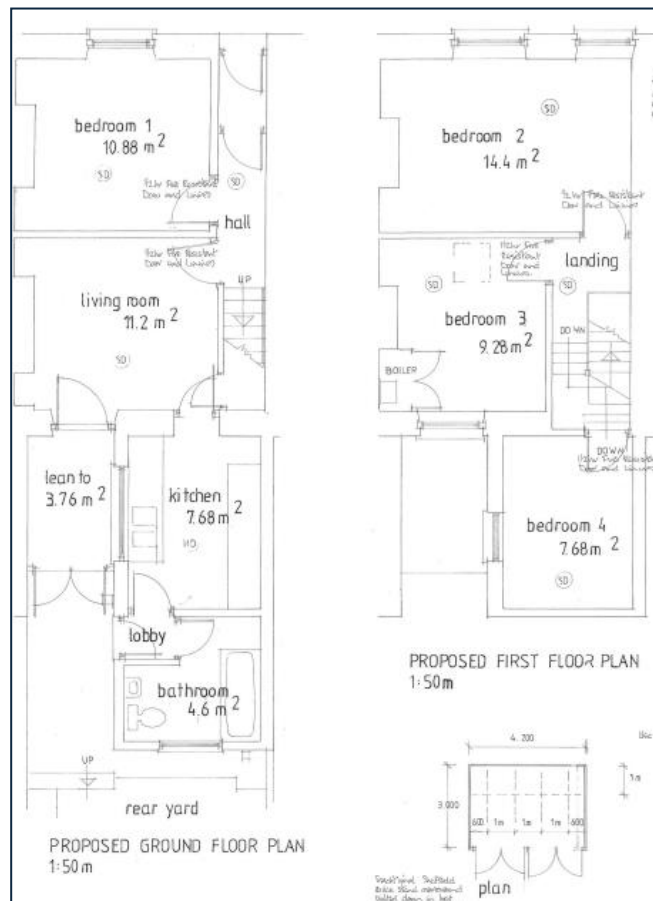


Figure 3 – Proposed Floor Plan

SITE AND LOCALITY

The Application site comprises a traditional two-storey mid terrace property located at 30 St Marie Street in Bridgend.



Figure 3 – Location Plan



Figure 4 – Aerial Plan

The terrace property extends to the public footway on St Marie Street and has rear access via a pedestrian lane which serves other properties on the north side of the street.

It should be noted that the pedestrian lane located to the side of the adjoining end of terrace property (No. 32 St Marie Street) provides access to the Oldcastle Primary School. The school has its principal access from South Street.

The building is located within an area of residential use approximately 350m from the Bridgend Town Centre. The street is characterised by traditional terrace housing at its eastern end. The western end contains mainly semi-detached properties with front facing gardens and on-site parking.



**Figure 5– Photos of front elevation of property
Photo (taken 13/06/2024) looking along St Marie Street.
contractors were removing chimneys**

PLANNING HISTORY

No history found.

CONSULTATIONS

Bridgend Town Council: Objected to the development for the following reasons:

- Over intensification of HMOs in the area
- Traffic and parking concerns for residents
- Safety of children attending local school, due to increased traffic volume
- An HMO in this area, will remove another home suitable for a family close to a school

Shared Regulatory Services: Comments received on fire safety.

Highways Officer: No objection.

Waste and Recycling: No comments received

PUBLICITY

Neighbours have been notified of the receipt of the Application. The period allowed for response to consultations/publicity expired on 21 June 2024.

REPRESENTATIONS RECEIVED

Cllr F. Bletsoe: Raises the following concerns and has requested speaking rights:

- The small size of rooms within the building may not meet the minimum HMO standard
- Loss of a family dwelling and impact on school roll
- Anti-social behaviour as seen in Park Street
- Over-intensification of HMOs in the area including two on Ewenny Road
- Application should be considered by the Development Control Committee

Cllr I. Williams: Raises the following concerns and has requested speaking rights:

- The proposal does not meet the criteria of Policy COM7 of the LDP for the following reasons:
 1. St Marie Street contains traditional family accommodation
 2. Impacts of noise, parking and refuse
 3. Proximity to school entrance
 4. Scale and intensity of use inappropriate in this area
 5. No car parking provided, and the use would exacerbate the existing congested street parking situation
 6. Additional waste would be generated from the use which would be stored on the narrow footway causing inconvenience to users

Ann Lloyd (Town Councillor and local resident): Raises the following concerns and requests that Councillor Williams speak to the Committee on behalf of the residents:

- Proximity to school entrance
- Additional pressure on parking
- Unacceptable change to the family character of the street
- Proposal does not meet the criteria of Policy COM7 of the LDP

Six letters of objection were received from occupiers of properties in St Marie Street. In addition to the concerns raised above, the following issues were raised:

- Fire safety and access issues from the rear of the property
- Litter
- Questions the need for any additional HMOs in this area
- Precedent if the Application is approved

COMMENTS ON REPRESENTATIONS RECEIVED

Highway and pedestrian safety issues

- The property is currently a vacant three-bedroom dwelling house with no on-site parking.
- Given the narrow width of the carriageway of St Marie Street, there are parking restrictions in place in front of the property.
- Highways concerns will be considered in the Analysis section of this report below.

Other issues

- The Replacement Bridgend Local Development Plan does not contain any minimum standards for bedroom size for new HMOs. The proposed HMO includes single bedrooms of 10.8m², 14.4m², 9.28m² and 7.68m². which are considered to be appropriate for the accommodation provided.
- There is no evidence to suggest that the primary school access would be adversely impacted by the proposed change of use from a dwelling house to an HMO. Despite a possible change in household composition, the presence of 4 unrelated persons sharing a property would have effects little different to a family with two

teenage children.

- Issues in respect of anti-social behaviour are ultimately matters for the police and the proposal, which is a residential use, is unlikely to result in such serious levels of anti-social behaviour as to warrant or justify the refusal of this Application. There is no compelling evidence to suggest that a small HMO use of the scale being considered would result in increased levels of crime or fear of crime within the locality of the site. The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type alone, and it is considered that an appropriately managed, small scale HMO use, for a maximum of four people, would not cause such anti-social behaviour or perception of anti-social behaviour to recommend refusal of the Application in this case.
- Each application is determined on its own individual merits and assessed against National and Local planning policy.
- There is no evidence to suggest the area is oversubscribed with HMOs with no others identified within a 50-metre radius of the Application property. The properties referred to on Ewenny Road are more than 50m from the Application site.
- Recycling and waste disposal and collection will remain as for a residential dwellinghouse. Tenants of the property will share kitchen facilities and waste/recycling removal will be a communal activity which relies on the service provided by the Council. The property would be issued with the same waste collection bags and containers as other residential properties.
- Any residual litter resulting from waste collection would be a matter for the occupants of the HMO to address.
- HMOs are subject to additional requirements concerning fire safety. Furthermore, HMO's must be provided with a suitable Automatic Fire Detection (AFD) system, designed, installed and maintained in accordance with BS 5839: Part 6.

PLANNING POLICY

National Planning Policy and Guidance

National planning guidance in the form of Future Wales – the National Plan 2040 (February 2021) and Planning Policy Wales (Edition 12, February 2024) (PPW) are of relevance to the determination of this Application.

Paragraph 1.30 of PPW confirms that... *‘Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications.’*

“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.” (Paragraph 2.2 of PPW refers) Para 2.3 states “The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”

At Para 2.7, it states *“Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

PPW states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart and that Planners play a pivotal role...in shaping our society for the future, prioritising placemaking, decarbonisation and well-being.”*

PPW is supported by a series of more detailed Technical Advice Notes (TANs), of which the following are of relevance: -

Technical Advice Notes, the Welsh Government has provided additional guidance in the form of Technical Advice Notes.

- **Technical Advice Note 5 – Nature Conservation and Planning (2009).**
- **Technical Advice Note 12 - Design (2016)**
- **Technical Advice Note 18 – Transport (2007).**

The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this Application.

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010), which came in to force on 31 March, 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and, whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

Other Relevant Policies and Guidance

Houses in Multiple Occupation – Practice Guidance: March 2017 (Welsh Government)

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033, and within which the following policies are of relevance:

Strategic Policies

- **Policy SP3:** Good Design and Sustainable Placemaking
- **Policy SP5:** Sustainable Transport and Accessibility
- **Policy SP6:** Sustainable Housing Strategy
- **Policy SP17:** Conservation and Enhancement of the Natural Environment
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Topic based policies.

- **Policy SF1:** Settlement Hierarchy and Urban Management
- **Policy PLA11:** Parking Standards
- **Policy COM6:** Residential Density
- **Policy COM7:** Houses in Multiple Occupation
- **Policy DNP6:** Biodiversity, Ecological Networks, Habitats and Species
- **Policy DNP9:** Natural Resource Protection and Public Health

Supplementary Planning Guidance

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance the following are of relevance.

- **SPG02** – Householder Development
- **SPG17** – Parking Standards
- **SPG19** – Biodiversity and Development

APPRAISAL

This Application is referred to the Development Control Committee to consider the concerns raised by Local Ward Members, Bridgend Town Council and neighbouring occupiers. Additionally, two Local Ward Members have formally requested that the matter be considered before the Committee.

Having regard to the above, the main issues to consider in this Application relate to the principle of development, together with the impact on the amenities of neighbouring residents, biodiversity and highway safety.

Principle of Development

The site is located within the main settlement of Bridgend within an established, residential area on the edge of the town centre as defined by **Policy SF1 Settlement Hierarchy and Urban Management** of the Bridgend Local Development Plan (LDP) adopted in 2024. Policy SF1 states that development will be permitted within the settlement boundaries at a scale that reflects the role and function of the settlement.

Policy SP6 Sustainable Housing Strategy notes that the LDP makes provision for 8,628 homes to promote the creation and enhancement of sustainable communities and meet the housing requirement of 7,575 homes for the Plan period, of which, 1,711 of these homes will be affordable. Development will be distributed in accordance with Strategic Policy SP1, based on the Sustainable Housing Strategy that will amongst other outcomes – *‘Support windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land’*. This Strategic Policy recognises the benefits of new residential development, including the reconfiguration of existing buildings and the re-use of vacant or under-utilised land.

The proposed site would classify as an appropriate site under Policy SP6 which makes a contribution to the overall housing supply and introduces an important element of choice and flexibility into the housing market. Policy SP6 of the LDP and PPW 12 effectively supports the use of suitable sites for housing development as it can assist regeneration and at the same time relieve pressure for development on greenfield sites.

Policy COM6 Residential Density states that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. The policy notes that new housing developments must make the most efficient use of land in accordance with sustainable, placemaking principles and that good design must be utilised to maximise the density of development without compromising the quality of the living conditions provided, whilst making adequate provision for privacy and space around dwellings.

The proposed HMO would provide a centrally located and sustainable house type located close to the Bridgend town centre. It would utilise the existing two-storey building and provide good sized bedrooms and communal living spaces for up to four occupants. All habitable rooms would benefit from natural light, ventilation, and a means of outlook onto St Marie Street or the rear facing yard. For these reasons, the proposed HMO is

considered to meet Policy COM6 of the LDP.

The key policy relevant to this Application is **Policy COM7 Houses in Multiple Occupation** where it notes: '*Proposals to convert an existing building into a House in Multiple Occupation (HMO), bedsits or other forms of shared housing will only be permitted within defined settlement boundaries if:*

- 1) It would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;*
- 2) Conversion is possible without major extensions or alterations to the building which would significantly alter the character and appearance of the street scene and the broader locality;*
- 3) The scale and intensity of use would be compatible with the existing building and adjoining and nearby uses;*
- 4) the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision;*
- 5) the proposal includes adequate storage for recycling/refuse, cycles and a clothes drying area; and*
- 6) The proposed development would not have an unacceptable adverse impact on residential amenity.*

In all other respects development will be expected to meet the relevant requirements set out in other LDP policies.'

In terms of the above criteria, it is noted:

- 1) Neither planning records nor the Public Register of Licensed HMO's identify any HMOs within a 50m radius of the Application property.

In order to provide some context, the junction of St Marie Street and Eweny Road is located approximately 100m from the Application site.

Accordingly, the proposal would not exceed the 10% threshold.

- 2) The proposal will not require any extensions or alterations which would alter the character and appearance of the property or area.
- 3) The scale and intensity of the use is considered to be compatible both with the existing building (as communal areas are provided for residents) as well as with the adjoining and nearby uses which are also primarily residential.
- 4) While no on-site parking is available for vehicles, the Applicant proposes covered and secure cycle parking at the rear of the property. The property is located in a sustainable location in close proximity to the town centre, public transport hubs and other facilities. It is noted that the Highways Officer has not raised any objection to the proposal.
- 5) The proposal provides for waste and recycling storage and possible clothes drying area at the rear of the building. Provision of cycle parking can be covered as a condition of planning approval.
- 6) It is not considered that the proposal would have an unacceptably adverse impact on residential amenity.

Accordingly, and for the above reasons, the proposal is considered to meet the criteria of

Policy COM7 of the LDP.

Policy SP3 Good Design and Sustainable Placemaking of the LDP states that *'all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment, by:*

- 1) Demonstrating alignment with the principles of Good Design; and*
- 2) Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.'*

On balance, it is considered that, in principle, the development accords with Strategic Policy SP6 and Policy COM6 and COM7 of the Bridgend LDP and subject to satisfying the requirements of Policy SP3, the proposed development is acceptable in land use planning terms and accords with the Bridgend Local Development Plan (2024).

Residential Amenity

Policy SP3 of the LDP criterion (k) states *'Applications for new development should ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.'*

Overbearing and overshadowing impact

The proposal involves no building additions. As such there are considered to be no issues in terms of overlooking and overbearing over and above what already exists on site.

Overlooking/loss of privacy

In terms of overlooking and loss of privacy, the proposal involves no alterations and, as such, the relationship between windows and habitable rooms would not change.

Noise

Policy SP2 Criterion (g) also states that new development should *'Avoid or minimise noise, air, and soil and water pollution'*.

In terms of the likely impacts on neighbouring residential amenity, it is considered that the proposed use of the premises as a small HMO would not unreasonably compromise the level of amenity that is currently enjoyed and can be reasonably expected in such a locality. It is also considered that the level of activity and other likely effects of the use would not significantly exceed that of the property being used as dwellinghouse.

Any issues relating to noise from future residents of the property would be a matter for Shared Regulatory Services - Public Protection Officers to investigate under their legislation.

Amenity of future occupiers

In terms of the level of amenity and standard of accommodation being created for occupiers of the HMO, each bedroom facility would have a satisfactory outlook with appropriate habitable room space and communal kitchen/bathroom facilities being proposed to support the use.

With regard to outdoor amenity space, the proposed layout provides a small north facing outdoor space to the rear that future occupiers could use. Whilst it is limited in extent, it is considered an acceptable level of provision to service the proposed use.

Bin storage and cycle storage

A suitable waste storage area can be provided at the rear of the property adjacent to the kitchen and utility room. Cycle parking is proposed and can be achieved by a condition of consent to ensure suitable cycle storage is available for the future residents of the property.

On balance, it is considered that the proposed change of use is acceptable and will not have any significant adverse impacts on existing neighbouring properties or amenities. As such, there are no justifiable grounds to refuse planning permission on residential amenity grounds, having particular regard to the fact that if any such issues arise in the future, these can be addressed by the Environmental Health Section under their statutory nuisance powers. The development, therefore, accords with Policy SP3 and DNP9 of the Bridgend Local Development Plan (2024)

Highway Safety

Policy SP5 states '*Development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Development must also be supported by appropriate transport measures and infrastructure*'. Policy PLA11 further states all development will be required to provide appropriate levels of parking. This should be in accordance with the adopted parking standards.

The Application site is located in a very sustainable location close to the town centre where there is an abundance of facilities and the main train and bus stations for Bridgend.

The Highway Officer has assessed the proposal, and it is noted:

'The existing 3-bedroom property generates a requirement for 3 off-street parking spaces but does not benefit from any off-street parking. It is considered however that the proposed change of use to a HMO (for a maximum of 4 persons) will not generate any greater parking demand which would otherwise require further provision.

A scheme for secure cycle parking is proposed and considered suitable.

Accordingly, they have offered no objection to the development subject to a condition that would require the provision of cycle parking.

On balance it is considered that the change of use would not have any unacceptable impacts upon highway and pedestrian safety. Therefore, the proposed development is considered to accord with Policy SP5 and PLA11 of the Bridgend Local Development Plan (2024)

Biodiversity

In assessing a planning application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals."* it further goes on to state that *"All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse*

effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Whilst acknowledging that this is a relatively small-scale change of use Application, to fully ensure the development meets the requirements of local and national planning policy that states that *all development should maintain and enhance biodiversity*, a condition is recommended to ensure that the proposed bird and bat boxes are introduced at the site. As such the proposal is acceptable in terms of biodiversity.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2024)

On balance and having due regard to the objections and concerns raised, the proposed development, subject to the imposition of conditions, complies with Council policy and guidelines and does not adversely prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities, particularly with regard to the fear of anti-social behaviour or possible crime, as to warrant refusal on those grounds.

The scheme also raises no adverse biodiversity concerns. Any issues relating to the poor management of HMOs are resolved through the separate licensing regime and legislation and not through the planning system. As such, it is considered that the development is acceptable and complies with Policies SP3, SP5, SP6, SP17, SF1, PLA11, COM6, COM7, DNP6 and DNP9 of the Bridgend Local Development Plan (2024).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans:

2987 C - CHANGE OF USE FROM RESIDENTIAL DWELLING TO HMO C4 MAXIMUM 4 PERSONS (08/05/2024)

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The premises shall be used as a house in multiple occupation (Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) accommodating a maximum of 4 persons and for no other use.

Reason: For the avoidance of doubt as to the extent of the permission granted and to

enable the Local Planning Authority to retain effective control over the intensity of the residential use.

3. The submitted cycle storage unit and integral cycle stands scheme shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity.

Reason: In the interests of promoting sustainable means of travel to / from the site and to accord with policies SP3 and SP5 of the Bridgend Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

4. Notwithstanding the submitted plans and prior to the first beneficial use of the development, an artificial nesting site for birds shall be erected at the site to the following specifications and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

- Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings.
- Entrance holes: 32mm diameter
- Dimensions: H310 x W370 x D185mm

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales, Planning Policy Wales (Edition 12) and Policies SP17 and DNP6 of the Bridgend Local Development Plan (2024)

5. Notwithstanding the submitted plans and prior to the first beneficial use of the development, two artificial roosting boxes for bats shall be erected at the site to the following specifications and retained as such thereafter;

Bat Box Specifications:

- Ecostyrocete self-cleaning crevice boxes to be placed under the eaves at the rear of the of building.
- Dimensions: H430 x W215 x D68mm

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales, Planning Policy Wales (Edition 12) and Policies SP17 and DNP6 of the Bridgend Local Development Plan (2024)

6. * THE FOLLOWING ARE ADVISORY NOTES AND NOT CONDITIONS

ADVISORIES

a. The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend County Borough Local Development Plan (2018 - 2033)

On balance and having regard to the objections and concerns raised the proposed development, The development, subject to the imposition of conditions, complies with Polices SP3, SP5. SP6, SP17, SF1, PLA11, COM6, COM7, DNP6 and DN9 of the Bridgend Local Development Plan (2024) and relevant guidelines and does not adversely affect the character of the area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity concerns.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

- b. HMO's are subject to additional requirements concerning fire safety. The information can be found in the following guide <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>
Furthermore, Automatic Fire Detection (AFD) - HMO's must be provided with suitable AFD system. The system must be designed, installed and maintained in accordance with BS 5839: Part 6.
- c. The applicant is advised that the development must comply with the necessary and relevant Building and Fire Safety Regulations. The applicant is also advised that in addition to Planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to the development.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

REFERENCE: P/24/233/FUL

APPLICANT: Tenbee Properties c/o Plan R Ltd, 39 Merthyr Mawr Road, Bridgend, CF31 3NN

LOCATION: 65 Acland Road Bridgend CF31 1TF

PROPOSAL: Change of use from use class C3 (Dwellinghouse) to use class C4 (House in Multiple Occupation)

RECEIVED: 22 April 2024

DESCRIPTION OF DEVELOPMENT

The Applicant, Tenbee Properties, is seeking planning permission for the change of use of this two-bedroom property from Class C3 (Dwellinghouse) to Class C4 (House in Multiple Occupation), as a four-bedroom unit with communal shared facilities at 65 Acland Road, Bridgend.

In general terms, Class C4 covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities (Houses in Multiple Occupation: Practice Guidance, March 2017).

The submitted plans show that the existing building will be altered internally to accommodate the change of use with three upstairs bedrooms and one communal bathroom. The ground floor lounge is to be converted into the fourth bedroom. There will be a shared kitchen and lounge/diner for the occupants of the property – see Figure 3 below.

The existing rear amenity space will be retained along with the double garage which has access onto a rear lane.

The Application was accompanied by a Green Infrastructure Statement and Planning Statement. The proposal would include the installation of a single bird box at the rear of the property.

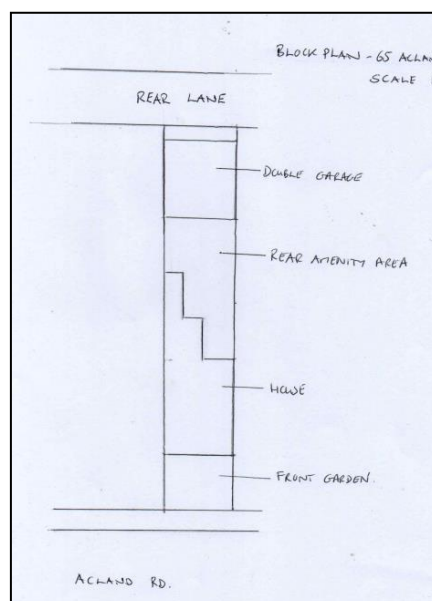


Figure 1 Proposed Block Plan

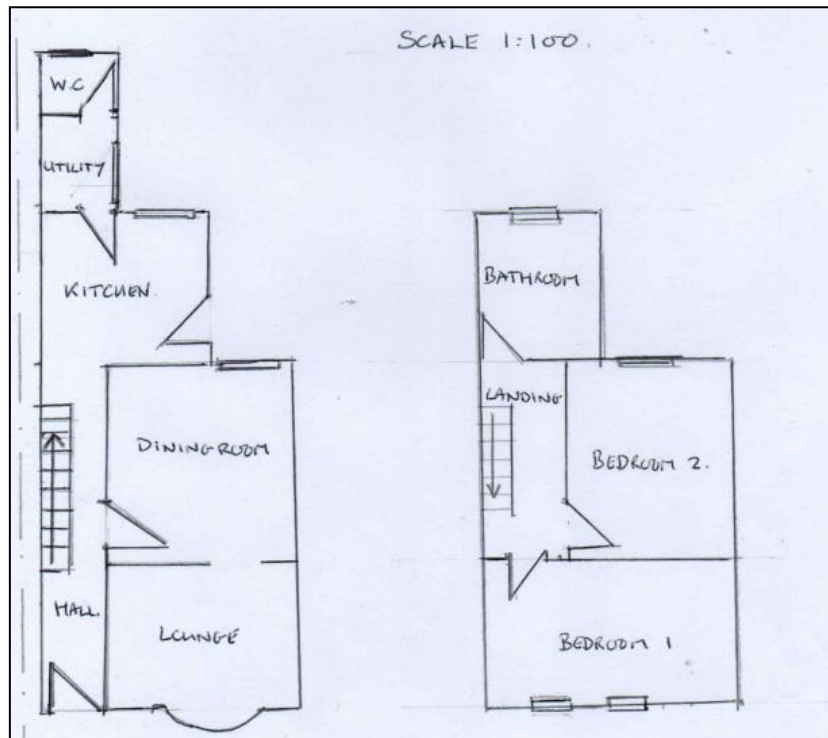


Figure 2 Existing Floor Plan

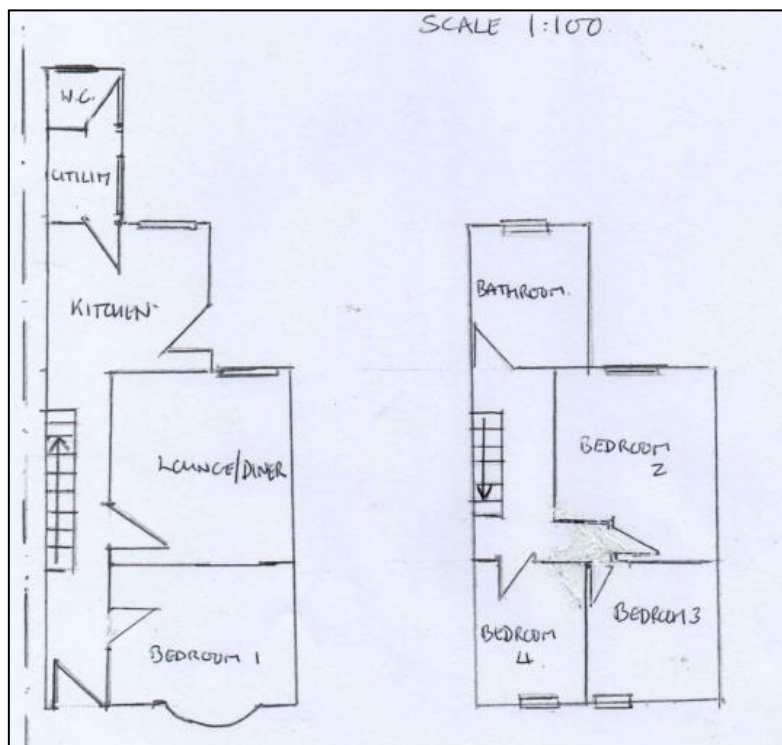


Figure 3 Proposed Floor Plan

SITE AND LOCALITY

The Application site comprises a traditional two-storey mid terrace property located at 65 Acland Road in Bridgend.



Figure 4 Location Plan



Figure 5 Aerial Plan Showing Location

The building is mainly constructed of stone facing and red brick window and door surrounds with a pitched slate roof. The property has a small front garden along with private amenity space to the rear. A large double garage extends the full width of the property at the back and has access from a rear lane which joins Herbert Street.

The building is located within an area of residential use approximately 400m from the Bridgend town centre. The surrounding area is characterised by mainly traditional terrace

housing. However, there are other more recent semi-detached and detached houses on Herbert Street and High View.



Figure 6 Photo of Front Elevation of Property



Figure 7 Photo of Rear Elevation of Property

PLANNING HISTORY

None.

CONSULTATIONS

Shared Regulatory Services: No comments received.

Highways Officer: No objection.

Land Drainage: No objection.

Bridgend Town Council: Over intensification of HMOs in the area. Traffic and parking concerns, Safety of children attending the local school due to increased traffic. Loss of a family home. Child safety concerns.

PUBLICITY

Neighbours have been notified of the receipt of the Application. The period allowed for response to consultations/publicity expired on 31 May 2024.

REPRESENTATIONS RECEIVED

Cllr S. Bletsoe: Acknowledges the need for this form of accommodation. However, has raised concerns on behalf of residents over the proposed intensification of HMOs and flats in the wider area. This creates pressure on the locality and residents. He has raised concerns with the current on-street parking difficulties and noted that the Council is undertaking a residents parking consultation.

Seventeen letters of objection were received from occupiers of properties in Acland Road, Herbert Street, High View and Maple Drive (Brackla). Two neighbours (Nos. 63 and 50 Acland Road have requested to speak at Committee.

Concerns raised include:

Highway and pedestrian safety issues

- Additional demands placed on highway parking
- Garage unlikely to be used due to access width and manoeuvring issues
- Existing highway parking congestion and demands by parents/carers dropping off and collecting school children
- Access for emergency vehicles can be difficult
- Proposed use may force families further from school and result in increased vehicle use, pollution and congestion

Other issues

- Property too small for a 4-bedroom HMO
- Proposal a profit driven development
- High number of HMOs and flats in the area
- Over intensification of HMOs in the wider area
- Use considered unsuitable in a neighbourhood of families and elderly
- Proximity to school
- Loss of affordable and family housing
- Impact on community cohesion
- Tenants likely to be on Housing Benefits
- No vetting of tenants
- Further antisocial behaviour in neighbourhood due to use of alcohol and drugs
- Potential noise and disturbance
- Asking price for property inflated and beyond that which could be afforded by a single buyer or family
- Tenants may have noisy and dangerous dogs
- Impact on property values
- Waste and rats
- Litter
- Increase in waste and recycling on footway

COMMENTS ON REPRESENTATIONS RECEIVED

Highway and pedestrian safety issues

- The property is currently a vacant two-bedroom dwellinghouse with parking to the rear. While the existing garage would be difficult to access from the narrow lane, it provides off-street parking for a vehicle, motorcycles and/or cycles.
- There are no highway parking restrictions on the surrounding roads. At the time of the reporting officers site visit, there were parking spaces available on both Acland Road and Herbert Street.
- Highways concerns will be considered below in the Appraisal section of this report

Other issues

- Issues in respect of anti-social behaviour are ultimately matters for the police and the proposal, which is a residential use, is unlikely to result in such serious levels of anti-social behaviour as to warrant or justify the refusal of the planning Application. There is no compelling evidence to suggest that a small HMO use of the scale being considered would result in increased levels of crime or fear of crime within the locality of the Application site. The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type alone, and it is considered that an appropriately managed, small scale HMO use, for a maximum of four people, would not cause such anti-social behaviour or perception of anti-social behaviour to recommend refusal of the planning Application in this case.
- The status of future occupants of this proposal are not a material planning consideration.
- Each Application is determined on its own individual merits and assessed against National and Local planning policy. There is no evidence to suggest the area is oversubscribed with HMOs with no others identified within a 50-metre radius of the Application property.
- In terms of devaluing other residential properties, this is not a material planning consideration.
- Any financial motive of the Applicant is not a material planning consideration.
- The valuation and purchase price of the property is not a material consideration.
- Recycling and waste disposal/collection will remain as would be the case for a residential dwellinghouse. Tenants of the property will share kitchen facilities and waste/recycling removal will be a communal activity which relies on the collection service provided by the Council.
- The keeping of domestic animals on the property is not a material planning consideration.
- The relevant legislative and policy considerations will be discussed below.

PLANNING POLICY

National Planning Policy and Guidance

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The Well-being of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

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- A resilient Wales
- A healthier Wales
- A more equal Wales
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- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this Application.

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010), which came in to force on 31 March, 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and, whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

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The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033, and within which the following policies are of relevance:

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Topic based policies.

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- **Policy COM7:** Houses in Multiple Occupation
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- **Policy DNP9:** Natural Resource Protection and Public Health

Supplementary Planning Guidance

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance the following are of relevance.

- **SPG02** – Householder Development
- **SPG17** – Parking Standards
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APPRAISAL

This Application is referred to the Development Control Committee to consider the concerns raised by the Local Ward Member, Bridgend Town Council and neighbouring occupiers.

Having regard to the above, the main issues to consider in this Application relate to the principle of development, the impact on the amenities of neighbouring residents, biodiversity and highway safety.

Principle of Development

The site is located within the main settlement of Bridgend within an established, residential area on the edge of the town centre as defined by **Policy SF1 Settlement Hierarchy and Urban Management** of the Bridgend Local Development Plan (**LDP**) adopted in 2024. Policy SF1 states that development will be permitted within the settlement boundaries at a scale that reflects the role and function of the settlement.

Policy SP6 Sustainable Housing Strategy notes that the LDP makes provision for 8,628 homes to promote the creation and enhancement of sustainable communities and meet the housing requirement of 7,575 homes for the Plan period, of which, 1,711 of these homes will be affordable. Development will be distributed in accordance with Strategic Policy SP1, based on the Sustainable Housing Strategy that will amongst other outcomes – ‘*Support windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land*’. This Strategic Policy recognises the benefits of new residential development, including the reconfiguration of existing buildings and the re-use of vacant or under-utilised land.

The proposed site would classify as an appropriate site under Policy SP6 which makes a contribution to the overall housing supply and introduces an important element of choice and flexibility into the housing market. Policy SP6 of the LDP and PPW 12 effectively supports the use of suitable sites for housing development as it can assist regeneration and at the same time relieve pressure for development on greenfield sites.

Policy COM6 Residential Density states that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. The policy notes

that new housing developments must make the most efficient use of land in accordance with sustainable, placemaking principles and that good design must be utilised to maximise the density of development without compromising the quality of the living conditions provided, whilst making adequate provision for privacy and space around dwellings.

The proposed HMO would provide a centrally located and sustainable house type located close to the Bridgend town centre. It would utilise the existing two-storey building and provide good sized bedrooms and communal living spaces for up to four occupants. All habitable rooms would benefit from natural light, ventilation, and a means of outlook onto Acland Road or the rear facing amenity space. For these reasons, the proposed HMO is considered to meet Policy COM6 of the LDP.

The key policy relevant to this Application is **Policy COM7 Houses in Multiple Occupation** where it notes:

'Proposals to convert an existing building into a House in Multiple Occupation (HMO), bedsits or other forms of shared housing will only be permitted within defined settlement boundaries if:

- 1) It would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;*
- 2) Conversion is possible without major extensions or alterations to the building which would significantly alter the character and appearance of the street scene and the broader locality;*
- 3) The scale and intensity of use would be compatible with the existing building and adjoining and nearby uses;*
- 4) the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision;*
- 5) the proposal includes adequate storage for recycling/refuse, cycles and a clothes drying area; and*
- 6) The proposed development would not have an unacceptable adverse impact on residential amenity.*

In all other respects development will be expected to meet the relevant requirements set out in other LDP policies.'

In terms of the above criteria, it is noted:

- 1) A search of Shared Regulatory Services Licensed HMO records, a review of approved planning consents and an inspection of the surrounding area has not identified other HMOs located within 50m of the Application property. The Application notes that there are two nearby HMOs, at No. 3 Acland Road and No. 3 Vernon Street. However, these are both in excess of 85m away from the Application property.

Accordingly, the proposal would not exceed the 10% threshold.

- 2) The proposal will not require any extensions or alterations which would alter the character and appearance of the property or area.
- 3) The scale and intensity of the use is considered to be compatible both with the existing building (as communal areas are provided for residents) as well as with the adjoining and nearby uses which are also primarily residential.

- 4) Existing car parking at the rear of the site will be retained and provision can be made for cycle parking. The property is located in a sustainable location in close proximity to the town centre, public transport hubs and other facilities. It is noted that the Highways Officer has not raised any objection to the proposal.
- 5) The proposal is able to provide for waste and recycling storage and clothes drying area at the rear of the building. Secure cycle parking can be achieved as a condition of planning approval.
- 6) It is not considered that the proposal would have an unacceptably adverse impact on residential amenity.

Accordingly, and for the above reasons, the proposal is considered to meet the criteria of Policy COM7 of the LDP.

Policy SP3 Good Design and Sustainable Placemaking of the LDP states that *'all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment, by:*

- 1) *Demonstrating alignment with the principles of Good Design; and*
- 2) *Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.'*

On balance, it is considered that, in principle, the development accords with Strategic Policy SP6 and Policy COM6 and COM7 of the Bridgend LDP and subject to satisfying the requirements of Policy SP3, the proposed development is acceptable in land use planning terms and accords with the Bridgend Local Development Plan (2024).

Residential Amenity

Policy SP3 of the LDP criterion (k) states *'Applications for new development should ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.'*

Overbearing and overshadowing impact

The proposal involves no building additions. As such there are considered to be no issues in terms of overshadowing or building dominance over and above what already exists on site.

Overlooking/loss of privacy

In terms of overlooking and loss of privacy, the proposal involves no alterations. As such, the relationship between windows of habitable rooms and adjoining properties would not change.

Noise

Policy SP2 Criterion (g) also states that new development should *'Avoid or minimise noise, air, and soil and water pollution'*.

In terms of the likely impacts on neighbouring residential amenity, it is considered that the proposed use of the premises as a small HMO would not unreasonably compromise the level of amenity that is currently enjoyed and can be reasonably expected in such a locality. It is also considered that the level of activity and other likely effects of the use would not significantly exceed that of the property which has been used as dwellinghouse.

Any issues relating to noise from future residents of the property would be a matter for

Shared Regulatory Services - Public Protection Officers to investigate under their legislation.

Amenity of future occupiers

In terms of the level of amenity and standard of accommodation being created for occupiers of the HMO, each bedroom would have a satisfactory outlook with appropriate habitable room space and communal kitchen and bathroom facilities to support the proposed use.

With regard to outdoor amenity space, the proposed layout provides an outdoor space to the rear that future occupiers could use. Whilst it is limited in extent, it is considered an acceptable level of provision for a 4-bedroom HMO.

Bin storage and cycle storage

A suitable waste storage area can be provided at the rear of the property adjacent to the kitchen and utility room. No cycle parking has been provided. However, a condition is recommended to ensure suitable cycle storage is available for the future residents of the property.

On balance, it is considered that the proposed change of use is acceptable and will not have any significant adverse impacts on existing neighbouring properties or amenities. As such, there are no justifiable grounds to refuse planning permission on residential amenity grounds, having particular regard to the fact that if any such issues arise in the future, these can be addressed by Shared Regulatory Services under their statutory nuisance powers. The development, therefore, accords with Policy SP3 and DNP9 of the Bridgend Local Development Plan (2024)

Highway Safety

Policy SP5 states '*Development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Development must also be supported by appropriate transport measures and infrastructure*'. Policy PLA11 further states all development will be required to provide appropriate levels of parking. This should be in accordance with the adopted parking standards.

The Application site is located in a very sustainable location close to the town centre where there is an abundance of facilities and the main train and bus stations for Bridgend. The property currently has 1 off-street parking space at the rear, and this will be retained.

The Highway Officer has assessed the proposal, and it is noted:

'The existing 2-bedroom property generates a requirement for 2 off-street parking spaces. The property only benefits from a wider than average single garage to the rear. Together with the constraints of the rear lane it is likely that this could only ever accommodate 1 off street car space. (The garage area would serve for ancillary storage for bicycles etc.). Accordingly, the property generates overspill parking of 1 space which would ultimately be accommodated on-street in the vicinity of the property.

The proposed conversion to a 4-bed unit is considered to generate a maximum requirement of 3 spaces. Given the inability to provide further parking on the property the proposal would thus result in overspill parking of 2 vehicles on-street. It is acknowledged that the terraced nature of the surrounding streets and its proximity to the town centre places a high demand on the public highway to provide parking. However, the proximity of the property to the town centre and the nature of the accommodation being provided would likely result in lower car ownership level.. Together with the need to evidence any harm

that may be generated by a single additional on-street vehicle (in the proximity), it is considered highly unlikely that an objection based on deficiency in parking could be successfully defended at appeal.

Accordingly, I would advise that the observations of the Highway Authority are no Objection.

In order to improve the sustainability of the property it is recommended that secure cycle parking be provided for two bicycles for shorter journeys. This can be imposed via a suitably worded condition.

On balance it is considered that the change of use would not have any unacceptable impacts upon highway and pedestrian safety. Therefore, the proposed development is considered to accord with Policy SP5 and PLA11 of the Bridgend Local Development Plan (2024)

Biodiversity

In assessing a planning application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals."* it further goes on to state that *"All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission."*

Technical Advice Note 5: Nature Conservation and Planning states that: *"Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife."*

Whilst acknowledging that this is a relatively small-scale change of use Application, to fully ensure the development meets the requirements of local and national planning policy which states that *all development should maintain and enhance biodiversity*, a condition is recommended to ensure that a bird box is introduced at the site. As such the proposal is considered acceptable in terms of biodiversity.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2024)

On balance and having due regard to the objections and concerns raised, the proposed development, subject to the imposition of conditions, complies with Council policy and guidelines and does not adversely prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities, particularly with regard to the fear of anti-social behaviour or possible crime, as to warrant refusal on those grounds.

The scheme also raises no adverse biodiversity concerns.

Any issues relating to the poor management of HMOs are resolved through the separate licensing regime and legislation and not through the planning system. As such, it is considered that the development is acceptable and complies with Policies SP3, SP5, SP6, SP17, SF1, PLA11, COM6, COM7, DNP6 and DNP9 of the Bridgend Local Development Plan (2024).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s): -

1. The development shall be carried out in accordance with the following approved plans:

PROPOSED FLOOR PLANS - 65 ACLAND RD. BRIDGEND

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. The premises shall be used as a house in multiple occupation (Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) accommodating a maximum of 4 persons and for no other use.

Reason: For the avoidance of doubt as to the extent of the permission granted and to enable the Local Planning Authority to retain effective control over the intensity of the residential use.

3. No development shall commence until a scheme for the provision of secure cycle storage for 2 bicycles has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity.

Reason: In the interests of promoting sustainable means of travel to / from the site and to accord with policies SP3 and SP5 of the Bridgend Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

4. Notwithstanding the submitted plans, prior to the commencement of development, a scheme showing the location and design of a waste and recyclables storage enclosure(s) at the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be provided strictly in accordance with the details so approved prior to the first beneficial use of the development and retained as such thereafter for the purposes of waste and recyclables storage and management.

Reason: In the interests of safeguarding general amenities and to ensure the sustainability principles are adopted and ensure compliance with Policy ENT15 of the Bridgend Local Development Plan (2024).

5. Notwithstanding the submitted plans and prior to the first beneficial use of the development, an artificial nesting site for birds shall be erected at the site to one of the following specifications and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

- Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings.
- Entrance holes: 32mm diameter
- Dimensions: H310 x W370 x D185mm

or

Swift Nest Box Specification:

- Wide box with small slit shaped entrance hole placed under or close to roofs.
- Dimensions: H150 x W340 x D150mm

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales, Planning Policy Wales (Edition 12) and Policies SP17 and DNP6 of the Bridgend Local Development Plan (2024)

6. * THE FOLLOWING ARE ADVISORY NOTES AND NOT CONDITIONS

- a. The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales – the National Plan 2040 and the Bridgend County Borough Local Development Plan (2018 – 2033)

On balance and having regard to the objections and concerns raised the proposed development, The development, subject to the imposition of conditions, complies with Policies SP3, SP5, SP6, SP17, SF1, PLA11, COM6, COM7, DNP6 and DN9 of the Bridgend Local Development Plan (2024) and relevant guidelines and does not adversely affect the character of the area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity concerns.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

- b. HMOs are subject to additional requirements concerning fire safety. The information can be found in the following guide:

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

Furthermore, Automatic Fire Detection (AFD) – HMOs must be provided with suitable AFD system. The system must be designed, installed and maintained in accordance with BS 5839: Part 6.

- c. The Applicant is advised that the development must comply with the necessary and relevant Building and Fire Safety Regulations. The Applicant is also advised that in addition to Planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to the development.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

Appeals

The following appeals have been received since my last report to Committee:

| | |
|--------------------------|---|
| APPEAL NO. | CAS-03377-H9V6K6 (2008) |
| APPLICATION NO | P/23/246/FUL |
| APPELLANT | MR P BRAIN |
| SUBJECT OF APPEAL | CONVERSION OF PROPERTY TO 5NO. 2-BEDROOM FLATS; REAR DORMER EXTENSION: FIRE ESCAPE TO REAR: ARDWYN 53 COWBRIDGE ROAD BRIDGEND |
| PROCEDURE | WRITTEN REPRESENTATIONS |
| DECISION LEVEL | DELEGATED OFFICER |

The application was refused for the following reasons:

1. The proposal, by reason of its position within a constrained site would result in a development that fails to make adequate provision within the curtilage of the building for usable outdoor private amenity space, and as such fails to achieve an acceptable living environment for the future occupiers of the residential units, contrary to Policy SP2 of the Local Development Plan (2013) and advice contained within Supplementary Planning Guidance Note 02 Householder Development (2008) and Planning Policy Wales (Edition 12, February 2024).

| | |
|--------------------------|--|
| APPEAL NO. | CAS-03528-D2J2T8 (2011) |
| APPLICATION NO | P/24/81/FUL |
| APPELLANT | MR S KNIPE |
| SUBJECT OF APPEAL | Re-modelling of dwelling comprising alterations and extensions including increase in eaves and ridge height and the provision of flat-roof dormers: 1 The Whimbrels Porthcawl CF36 3TR |
| PROCEDURE | HOUSEHOLDER APPEAL |
| DECISION LEVEL | DELEGATED OFFICER |

The application was refused for the following reasons:

1. The proposed development, by reason of its scale, design and form, represents an unsympathetic and unacceptable design that would be detrimental to the established character and appearance of the host dwellinghouse and the wider street scene on this side of The Whimbrels, contrary to Policy SP3 of the Local Development Plan (2024), Supplementary Planning Guidance Note 02: Householder Development and advice contained within Planning Policy Wales (Edition 12, February 2024).
2. The proposed development, by reason of its additional scale, orientation and design, would have an excessively dominating impact on the adjoining property (3 The Whimbrels) resulting in a significant loss of residential amenity through overbearing and overshadowing impact contrary to Policy SP3 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02: Householder Development and Paragraph 2.7 of Planning Policy Wales (Edition 12, February 2024).

The following appeal has been decided since my last report to Committee:

APPEAL NO. CAS-03175-P4C1C7 (2005)
APPLICATION NO. P/23/577/FUL

APPELLANT MR D & MRS M JOHN

SUBJECT OF APPEAL TWO STOREY REAR AND SIDE EXTENSION; SINGLE STOREY REAR EXTENSION; SIDE ENTRANCE PORCH AND WIDER DRIVE ENTRANCE WITH DROPPED KERB - RESUBMISSION OF REFUSED APPLICATION P/23/393/FUL: 32 MERTHYR MAWR ROAD BRIDGEND

PROCEDURE WRITTEN REPRESENTATIONS

DECISION LEVEL DELEGATED OFFICER

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED.

The Appeal Decision is attached as Appendix A.

RECOMMENDATION

That the report of the Corporate Director Communities be noted.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers (see application reference number)



Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 24/07/2024

Appeal reference: CAS-03175-P4C1C7

Site address: 32 Merthyr Mawr Road, Bridgend, CF31 3NR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs David and Mary John against the decision of Bridgend County Borough Council.
 - The application Ref P23/577/FUL, dated 8 September 2023, was refused by notice dated 8 November 2023.
 - The development proposed is two storey rear and side extension; single storey rear extension; side entrance porch and wider drive entrance with dropped kerb - Resubmission of Refused Application P/23/393/FUL.
 - A site visit was made on 3 June 2024.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The replacement Bridgend County Borough Local Development Plan (LDP) 2018 – 2033 has been adopted and now forms the development plan for the purposes of the appeal. I consider that replacement Policy SP3 is relevant. The parties' views were sought on this policy, which I have had regard to in my decision.

Main Issues

3. The Council have raised no concerns in regard to the wider drive entrance with dropped kerb and having regard to the Council's Highway Officer's comments, I have no reason to disagree. The main issues are the effect of the proposed development on a) the character and appearance of the area; and b) the living conditions of the occupiers of 30 Merthyr Mawr Road, having particular regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises a traditional semi-detached dwelling located on the northwestern side of Merthyr Mawr Road, which is predominantly characterised by large traditional semi-detached dwellings with simple hipped roofs separated by driveways.

Whilst the pairs of dwellings vary in style and some have been extended, including roof extensions, their similar size, predominant hipped roofs and regular spacings maintain a pleasing uniformity to this side of the street. Owing to the greater variety of styles and character of buildings, the southeastern side of the road has a distinctly different character to the northwestern side which does not detract from the general uniformity of the immediate context of the appeal site. Due to its location further to the south, the two-storey extension at No. 53 is not viewed in the context of the appeal property and therefore does not inform the character of its immediate vicinity. Although the pair of dwellings have attached garages to the side differing in design, due to their small scale, these do not affect the symmetrical appearance of the pair of semi-detached dwellings and do not detract from their character. As the adjacent dwelling, No. 30, is set back from the appeal property, and due to the stepped nature of the street pattern in this part of the road and the wide space between the appeal site and No. 30, the side of the dwelling is visually prominent when viewed from the northeast.

5. Policy SP3 of the LDP seeks to ensure, amongst other things, that developments have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character and be appropriate to its local context. This policy accords with the placemaking objectives of Planning Policy Wales (PPW). Although the previous LDP has been replaced, the thrust of policy SP3 of the replacement LDP is consistent with the objectives of the policy SP2 of the previous LDP, to promote good design. The Council's Supplementary Planning Guidance (SPG) 2 Householder Development advises that extensions and alterations should match or harmonise with those of the existing house and be in scale with the existing dwelling. It also advises that the symmetry of the original pair of semi-detached dwellings should be respected.
6. The Council have raised no concerns regarding the visual impact of the single storey rear extension and the side entrance porch and given the small scale of these elements I do not disagree. However, the proposed two storey rear and side extension would wrap around the side and rear elevation of the dwelling and would extend a significant length beyond the rear elevation. Despite the overall height of the proposed extension being marginally lower than the ridge of the main dwelling, it would have a high hipped roof to the front and a gable end to the rear which would be linked to the roof of the main dwelling by a lower pitched roof. This would result in a complex roof arrangement which would be at odds with the simple hipped roof of the main dwelling. This, in combination with its length would result in an extension of a significant scale and bulk, unsympathetic to the character of the host dwelling. Furthermore, despite the use of materials to match the existing dwelling, the blank upper part of the front and side elevation would exacerbate its scale and unsympathetic appearance. I acknowledge its narrow width and setback would result in the front elevation of the original dwelling being distinguishable. However, owing to its scale, bulk and unsympathetic design, the proposal would dominate the side elevation and would unbalance the pair of dwellings.
7. Owing to the set back of No, 30, most of the bulk and scale of the proposed two storey extension and its unsympathetic design would be visible from the street and would result in a discordant feature in its setting. This would harm the character of the immediate context of the site that I have identified. Whilst the proposal would be partly screened from wider views in the street, this would not lessen the harm and is not a reason to allow poor design.
8. I accept that the need for consistency in decision making is important and in this regard the appellants have drawn my attention to other extensions in the street which benefit from planning permission. However, the development at No.28 relates to a roof

extension and whilst the development at No.70 is similar to the appeal proposal in design, given its position on the straight section of the road where the adjacent dwelling is not set back, it is not as visible in the street. Therefore, I do not find these directly comparable to the appeal proposal and I have determined the appeal on its merits.

9. I conclude that the proposed development would cause material harm to the character and appearance of the area, contrary to Policy SP3 of the LDP and the objectives of PPW and the SPG.

Living Conditions

10. The adjacent dwelling, No. 30, is separated from the shared boundary of the appeal site by a driveway. Its front elevation is set back at a level comparable to the first-floor rear elevation of the existing dwelling at the appeal site. The side elevation of No. 30 has its front door and a number of windows facing the appeal site. These windows appear to serve a landing, understairs cupboard, both of which are obscured glazed, and kitchen and bedroom. The ground floor kitchen window is sited opposite the existing single storey garage which would be demolished to accommodate the proposed development. As the bedroom window is above the existing garage, it has an open aspect over the rear gardens of the adjacent dwellings.
11. The proposed two storey rear and side extension would not extend beyond the kitchen and bedroom windows in the side elevation of No. 30 and would be separated from them by the driveway. Therefore, despite the height, scale and bulk of the proposal, I find that the generally open outlook from these windows would be largely maintained. Consequently, the proposal would not be so overbearing that it would harmfully affect the outlook from the rooms which these windows serve. Whilst the proposed development would be sited directly opposite the other windows and the front door, as these serve non habitable rooms and as they are fitted with obscure glazing, it would not unduly affect the outlook of the occupiers of the dwelling. Although the proposal's scale and bulk would be apparent from the driveway, given that this is not a principal area of amenity space there would be no significant adverse effects on neighbouring amenity.
12. I conclude that the proposed development would not harm the living conditions of the occupiers of No. 30 in regard to outlook. It complies with Policy SP3 of the LDP which seeks to ensure, amongst other things, that the amenity of neighbouring uses and their occupiers will not be adversely affected. It also complies with the SPG which seeks to ensure, amongst other things, that no extension unreasonably dominates the outlook of an adjoining property.

Other Matters

13. I have had regard to the appellants' need to provide additional living and home working space, to modernise the property and the use of sustainable materials. However, the harm that I have identified would be significant and would be likely to remain in posterity. This does not therefore lead me to alter my decision. I note the appellants' intention to install solar panels, however, these do not form part of the proposal before me, and in any event, their installation could also form part of an acceptable development.

Conclusion

14. Although I have found no harm to the living conditions of the occupiers of No. 30, this does not outweigh the harm to the character and appearance of the area, which is an overriding consideration. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Ref: CAS-03175-P4C1C7

15. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

H Smith

INSPECTOR

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|--|---|
| Meeting of: | DEVELOPMENT CONTROL COMMITTEE |
| Date of Meeting: | 8 AUGUST 2024 |
| Report Title: | SUPPLEMENTARY PLANNING GUIDANCE |
| Report Owner / Corporate Director: | CORPORATE DIRECTOR COMMUNITIES |
| Responsible Officer: | JONATHAN PARSONS – GROUP MANAGER PLANNING & DEVELOPMENT SERVICES |
| Policy Framework and Procedure Rules: | The report content has no direct effect upon the policy framework and procedure rules. |
| Executive Summary: | <p>The Bridgend Replacement Local Development Plan was approved by Council on 13 March 2024 and as such is now the formal basis to determine planning applications.</p> <p>This report advises Members of the next steps in preparing Supplementary Planning Guidance to support implementation of the Replacement Local Development Plan’s policies and allocations.</p> |

1. Purpose of Report

- 1.1 The purpose of the report is to update Development Control Committee Members on the preparation of Supplementary Planning Guidance (**SPG**) to support the policies and proposals of the adopted Replacement Local Development Plan (**LDP**).

2. Background

- 2.1 Members will be aware that the Replacement LDP was approved at Council on 13 March 2024. As such, it is now the formal adopted LDP for making land use planning decisions in Bridgend. It is imperative to prepare a suite of up-to-date SPGs to support the Replacement LDP by building upon and providing more detailed guidance about the policies it contains. Each SPG will identify relevant planning policies likely to affect the topic, summarise related planning issues and provide guidance to the public, applicants and developers on how to meet the relevant polices. Once an SPG has been agreed by Development Control Committee it will require public consultation (6 weeks) before being finalised and reported to Council for approval. Adopted SPGs will then become material considerations in determining future planning applications. An up-to-date suite of SPG documents will prove essential in the successful delivery of applications that will come forward during the Replacement LDP period, especially for the large strategic sites.

3. Current situation/ proposal

- 3.1 The Council's Strategic Planning Team are currently working on compiling the SPG documents, which will be brought to Committee for consideration in due course. This will be achieved through a series of workshops, and, as per current practice, Members will be asked to volunteer to assist in the drafting of the SPG documents and act as 'champions' in each area.
- 3.2 The first three SPGs that are due to be produced are as follows:

1. Outdoor Recreation Facilities and New Housing Development

This SPG will update the previous SPG (2021) to better reflect the revised planning policies on outdoor recreation facilities contained within the adopted Replacement LDP. It will outline how appropriate planning obligations will be sought to provide or enhance outdoor recreation facilities as part of new residential developments throughout the County Borough. The SPG will particularly clarify what level and type of provision will be required on different sized sites and specify when off-site provision may be acceptable in lieu of on-site provision. In addition, the SPG will provide an updated formula for calculating capital and maintenance costs to ensure any secured planning obligations are appropriate to deliver and maintain outdoor recreation facilities going forward.

2. Affordable Housing

This SPG will expand upon the Council's planning policy on affordable housing and outline how the Council will expect affordable housing to be delivered as part of new residential developments and when, in exceptional circumstances, a commuted sum might be considered as an alternative option to the provision of on-site affordable housing. It will also further clarify the approach to providing affordable housing on exception sites in limited circumstances and when in exceptional circumstances a commuted sum might be considered as a last resort for the provision of on-site affordable housing. Crucially, this SPG will also establish a new set of transfer values for nil-grant affordable housing following the Welsh Government's decision to cease publication of Land and Works Acceptable Cost Guidance in 2021 (which has been the longstanding reference point for setting nil-grant affordable housing transfer values). This will update the previous Affordable Housing SPG (2015) in accordance with the adopted Replacement LDP policy framework.

3. Retail and Commercial Development

This SPG will provide further direction on implementation of the retail and commercial development policies contained within the adopted Replacement LDP. It will enhance guidance on three key policy areas: development in the commercial centres of Bridgend, Porthcawl and Maesteg; development of non-A uses in other commercial centers; and retail development outside of retail and commercial centres. This SPG

will provide additional guidance on specific changes of use in retail centres and other town centre developments, with reference to policies within the Replacement LDP, Future Wales and other material considerations. This will help ensure the County Borough's retail centres are sustainable in the long term.

- 3.3 Three Member volunteers are sought to contribute to the development of each SPG and function as '*champions*' in progressing these SPGs from initial drafting stage to approval. Development of further SPGs will follow in due course in order to amplify and add weight to the other thematic policies already contained in the adopted Replacement LDP.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010 (as amended), the Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The Replacement LDP has full regard to the provisions of the Well-being of Future Generations (Wales) Act 2015 and to the "Well-being Goals". The promotion and recognition of well-being was interwoven into plan preparation for the Replacement LDP from the outset, through effective stakeholder engagement via the Public Service Board. The theme of well-being and the provisions of the Well-being of Future Generations (Wales) Act 2015 are considered through the Sustainability Appraisal process and reflected in the use of the local Well-being Goals in framing the Replacement LDP's Strategic Objectives and the Strategic Policies.
- 5.2 The Replacement LDP provides the framework to deliver against all 7 "Corporate Wellbeing Objectives" by enabling delivery of new homes, jobs, education facilities, recreation provision, highways improvements, active travel provision and a wide range of other supporting infrastructure. Development of SPGs will further enhance this framework by providing additional guidance to facilitate effective policy application.

6. Climate Change Implications

- 6.1 There are no Climate Change Implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding and Corporate Parent Implications arising from this report.

8. Financial Implications

8.1 None – preparation of SPGs will be facilitated through use of existing resources.

9. Recommendation(s)

9.1 It is recommended that the Development Control Committee notes this report.

9.2 It is recommended that Development Control Committee nominate three Members to '*champion*' production of the three initial SPGs: 1. Outdoor Recreation Facilities and New Housing Development; 2. Affordable Housing; and 3. Retail and Commercial Development.

Background documents

None

TRAINING LOG

All training sessions will be held in the Council Chamber but can also be accessed remotely via Microsoft Teams.

Subject

PEDW Briefing for Members

Date

To be arranged.

Public Rights of Way / Bridleways

Tree Policy - Green infrastructure

(Members are reminded that the Planning Code of Practice, at paragraph 3.4, advises that you should attend a minimum of 75% of the training arranged).

Recommendation:

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

BACKGROUND PAPERS

None

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