

**REFERENCE:** P/20/559/FUL

**APPLICANT:** Mrs A Bredenkamp: 4 St Leonards Road, Bridgend CF31 4HF

**LOCATION:** 63 Pendre, Bridgend CF31 1PE

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

**RECEIVED:** 3 August 2020

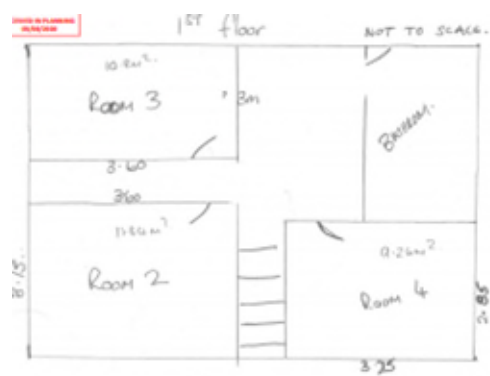
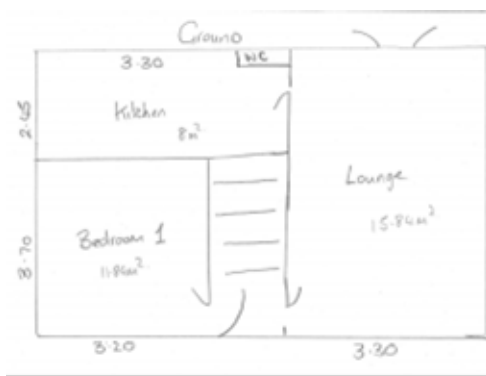
**SITE INSPECTED:** 17 September 2020

### APPLICATION/SITE DESCRIPTION

The application seeks consent to change the use of 63 Pendre (see below) from Use Class C3 (dwellinghouse) to Use Class C4 (House in Multiple Occupation) as defined by the Town & Country Planning (Use Classes) Order (As Amended).



The proposal is to use the existing 3 bedrooms on the first floor and convert a reception room on the ground floor as the fourth bedroom. The lounge area, kitchen and bathroom are to remain as is (see below). No external alterations are proposed as part of this application.



63 Pendre is a two storey semi-detached property with a substantial garden area to the side and a parking area to the front located within a residential area which is also known as Pendre.



The application site is outlined in red above and comprises the house, front garden and rear garden. The area outlined in blue and the triangle to the north are not included in the application site, the subject of this application.

The application site is located within the residential settlement boundary of Bridgend as defined by Policy PLA1 of the Bridgend Local Development Plan (2013).

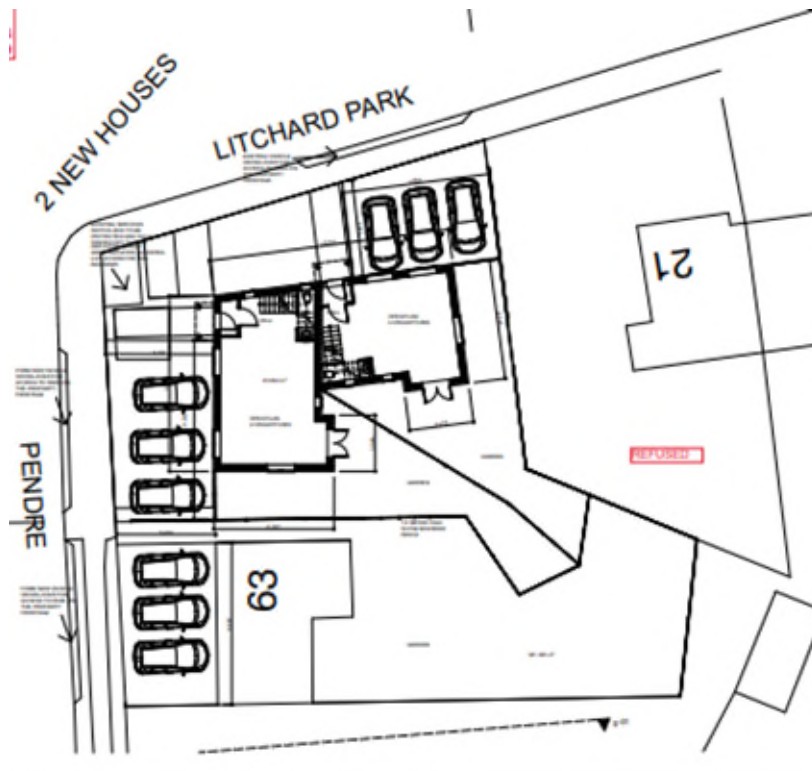


**RELEVANT HISTORY**

P/20/172/FUL – 4 bedroom 2 storey dwelling - Approved (with conditions) – 14 May 2020



P/19/565/FUL – 2 x 2 storey semi-detached properties – Refused 30 December 2019



**PUBLICITY**

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 14 October 2020.

## CONSULTATION RESPONSES

Public Protection advises there is no information regarding fire safety precautions indicated on the plans and advises the applicant to contact the department prior to any works commencing to the development. This will be considered during the Building Regulations Approval process but can also be included as an advisory note.

## REPRESENTATIONS RECEIVED

The occupier of 61 Pendre supports the proposal.

The occupiers of 20, 22 and 23 Litchard Park and 55 Pendre object to the proposal as summarised below:-

- Traffic already higher – other HMOs in vicinity and flats to the right side
- Car parking is poor, illegal parking on pavements, too close to junction
- Currently use land to north to park vehicles (not forming part of application site)
- Noisy garden parties at this address during Summer
- Environmental concerns
- Devaluation of property
- House is already HMO
- Extension proposed
- Drainage problems – more usage will be a nightmare (believes house is already HMO)

The owner/occupier of 19 Litchard Park objects to the proposal as follows:-

*I STRONGLY Object to the planning permission as referenced above.*

*The extension/building from a C3 dwelling to C4 multiple occupation will greatly affect the look on the property's surrounding pendre /Litchard park area, We fear the value of our property's will significantly plummet, and this will upset the entire look on the street.*

*We already have an unpleasant looking building in this area which consists a set of flats around the corner ,but to add additional residents all in one unit would not only be a great worry as we have no idea if this will be a larger family or single occupants from all walks of life and background, This is a fear from all occupants within our area.*

*The dwelling will affect my view immensely as I will have even more of a restricted view, all I will see is the proposed building in addition to this I will have even more loss of privacy to the front of my home.*

*The green landscape area which is directly opposite my the house is currently being used as a carpark as it is. (this carpark /area is adjacent to the proposed building) The amount of cars which park outside that house on the landscape, pavements and curbs around this particular area is beyond, Pedestrians /parents with pushchairs have to walk on the road.*

*Due to the already existing high volume of cars I can barely get into my drive on a daily occasion and to add additional cars will cause more noise pollution with additional traffic in what was such a quiet peaceful street.*

*This proposed building will destroy the look/character in the area, The Street has many relatively older residents living in this street who have been residents of Litchard Park for many many years ,coming to end of life do you really want to be subjecting them to such implementation of plans, I fear you will have nothing but complaints going forward with this build.*

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The objector (19 Litchard Park) was advised *Your objection to the application is acknowledged however, there is no new building - the proposal is to change the use of the existing building* and the following response was received - *I understand the change, and still my views are the same.*

Loss of view whilst not applicable is not a material Planning consideration nor is devaluation of property. The appearance of the property will not change and as such, the only relevant comments relate to increased traffic and on-street parking which will be addressed in the appraisal of the application.

With respect to the claimed drainage issues, none were raised by the Drainage Officer in dealing with the proposed new dwelling and as such, it is considered that the drainage serving the existing dwelling is adequate. The objector on drainage grounds also believes the application site is already being used as a HMO and if this is the case, there would be no increase in usage.

## **APPRAISAL**

The application is referred to Committee to consider the objections received.

The main issues to consider in this application are the principle of the development, the impact on the character and appearance of the area, the impact on neighbouring residents' amenity and the highway safety implications of the proposal.

### Principle of the Development

The site is located within the main settlement of Bridgend as defined by Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted in 2013. Policy PLA1 states that development in the County Borough will be permitted where it provides the maximum benefits to regeneration at a scale that reflects the role and function of the settlement.

Policy COM3 Residential Re-use of a Building or Land states that residential developments within settlement boundaries defined in Policy PLA1 on windfall and small sites for the conversion of existing buildings or the re-use of vacant or under-utilised land will be permitted where no other policy protects the building or land for an existing or alternative use. The proposed site would classify as a small site under Policy COM3 which makes an important contribution to the overall housing supply and introduces an important element of choice and flexibility into the housing market.

In view of this, the proposed development is considered to accord with Strategic Policy SP1 and Policies PLA1 and COM3 and can be supported in principle.

### Impact on the character of the existing property, street scene and wider area.

The application building is a two storey dwelling within a residential area in close proximity to local amenities. Pendre and the surrounding streets comprise a mixture of house types and it is considered that the conversion of this dwelling to a small HMO (with no external works proposed as part of the scheme) would provide a valuable and additional/alternative type of living accommodation to the locality whilst not harmfully or significantly eroding the character and appearance of the existing area as a whole.

The essential character of the area and the amenities of the locality would not be so adversely impacted to warrant a recommendation to refuse the planning application in this regard given that the proposal is for a single HMO which would not result in an undue concentration of incompatible uses in this location.

In terms of the level of amenity and standard of accommodation being created for future occupiers of the proposed HMO, each bedroom facility would have a satisfactory outlook with appropriate habitable room space and kitchen/bathroom facilities being proposed to support the use. The building benefits from a side garden and hardstanding that would provide a form of external amenity area and waste/recycling bin storage areas to potential future residents of the premise however, it should be noted that Planning permission exists for the development of part of this area for a detached dwelling (P/20/172/FUL refers).

The development proposes no external changes to the facade of the building and therefore, the visual appearance of the property will not alter as a result of the proposed development. Therefore, it is considered that the proposed development respects the character of the existing building and local character of the area and accords with the general requirements of Policy SP2 (2) and SP3 (3) of the Bridgend Local Development Plan (2013).

#### Impact on neighbouring amenities

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 what was previously experienced when the building was used as a dwelling (one additional bedroom).

Accordingly, it is considered that the proposed development is acceptable in terms of the likely impact on neighbouring amenity levels and therefore accords with Policy SP2 (12) of the LDP and the Council's Supplementary Planning Guidance SPG02: Householder Development.

#### Access and Parking

The Transportation Officer has assessed the submitted application and noted that this property is used as a dwelling house which generated a certain level of vehicular traffic and parking in the area. Given that the increase is only one additional bedroom it is considered that the change of use is acceptable in traffic generation terms

It is noted that there is an area to the front of the property that could be utilised for off-street parking spaces and this was explored when permission was granted for the proposed detached dwelling when 3 off-street spaces were to be provided for the existing dwelling. As such and to overcome any on-street parking concern, it is considered necessary to attach a condition requesting a scheme of parking at the front to be submitted and agreed by the Local Planning Authority prior to beneficial occupation of the building commencing.

The proposed development is therefore acceptable in highway safety terms and accords with Policy SP2 (6) of the LDP (2013) and the Council's Supplementary Planning Guidance SPG: 17 – Parking Standards.

#### Biodiversity/Ecology

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March 2016.

Section 6 (1) states that “a public 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.” Section 6(2) goes on to state that “In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the development (change of use of an existing building), it is considered that there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

#### Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Wellbeing 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 compromising 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. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

#### **CONCLUSION**

This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities as to warrant a refusal.

## **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:-  
Site Location Plan (received 28 September 2020)  
Ground Floor and First Floor sketch plans (received 3 August 2020)

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

2. No development shall take place on site until a scheme for the provision of 3 off-street car parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented and the 3 car parking spaces provided in accordance with the agreed details prior to the commencement of beneficial use of the development permitted.

Reason: To ensure adequate off-street parking is provided in the interests of highway safety.

3. The car parking spaces referred to in Condition 2 above shall be used solely for the benefit of the occupants of 63 Pendre and their visitors and for no other purpose and shall be permanently retained as such thereafter.

Reason: To ensure adequate off-street parking is provided and retained in the interests of highway safety.

4. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS \*

- a. This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities as to warrant a refusal.

- b. The applicant is advised to contact the Public Protection department prior to any works commencing to the development regarding fire safety precautions.

**JONATHAN PARSONS**

**GROUP MANAGER PLANNING AND DEVELOPMENT SERVICES**

**Background Papers**

None