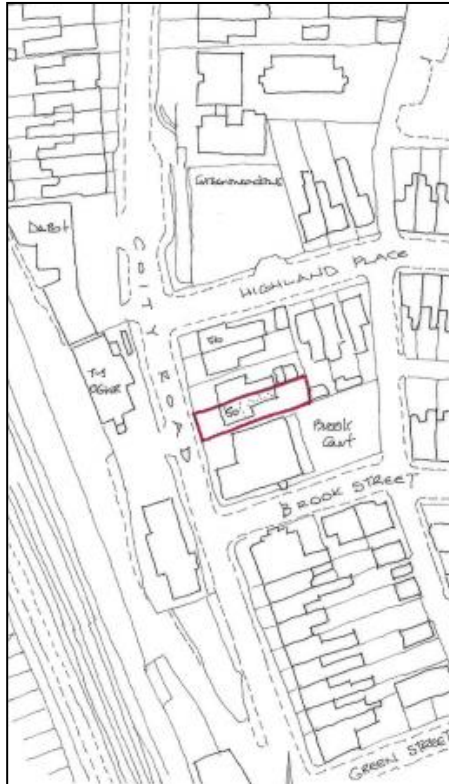


**REFERENCE:** P/23/536/FUL  
**APPLICANT:** D2 PropCo Ltd 3a Speke Street, Newport, NP19 8EX  
**LOCATION:** 50 Coity Road Bridgend CF31 1LR  
**PROPOSAL:** Change of use from residential dwelling to House in Multiple Occupation (HMO)  
**RECEIVED:** 18 August 2023

**APPLICATION/SITE DESCRIPTION**

The applicant “D2 PropCo Ltd” is seeking planning permission for the change of use of the property from Class C3 (dwelling house) to Class C4 (House in Multiple Occupation), as a five-bedroom unit with communal shared facilities at 50 Coity Road, Bridgend.



*Figure 1 – Site Location Plan & Block Plan*

In broad 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).

With the application under consideration the submitted plans show that the five-bedroom dwelling will not be altered externally or internally to accommodate the change of use with two bedrooms on the ground floor and a further three at first floor level. There would be a shared kitchen/living area/utility area on the ground floor and shared bathroom at first floor level. There is a shared outdoor amenity space/enclosed garden to the rear of the property. The existing and proposed layout of the building is shown below (Figures 2 and 3).

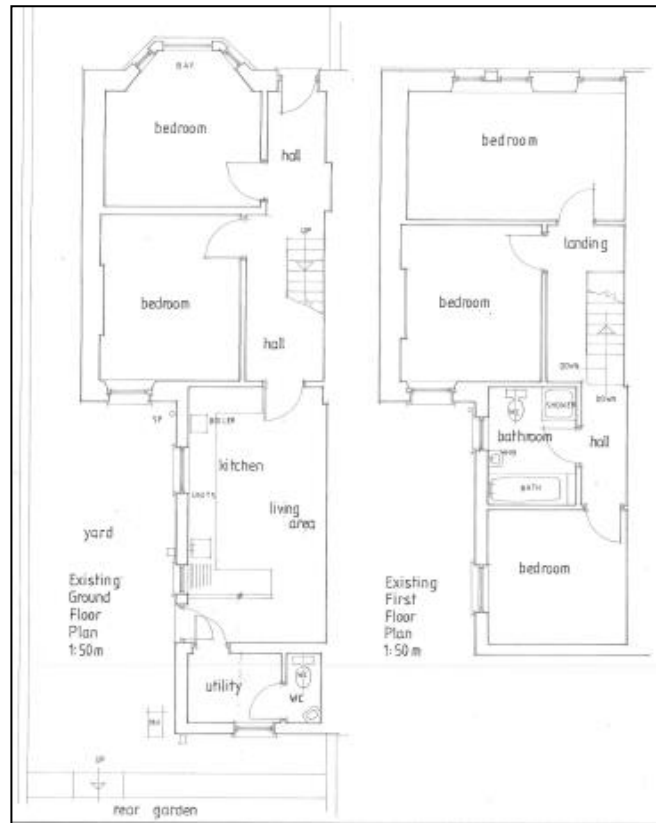


Figure 2 – Existing Layout of the Building

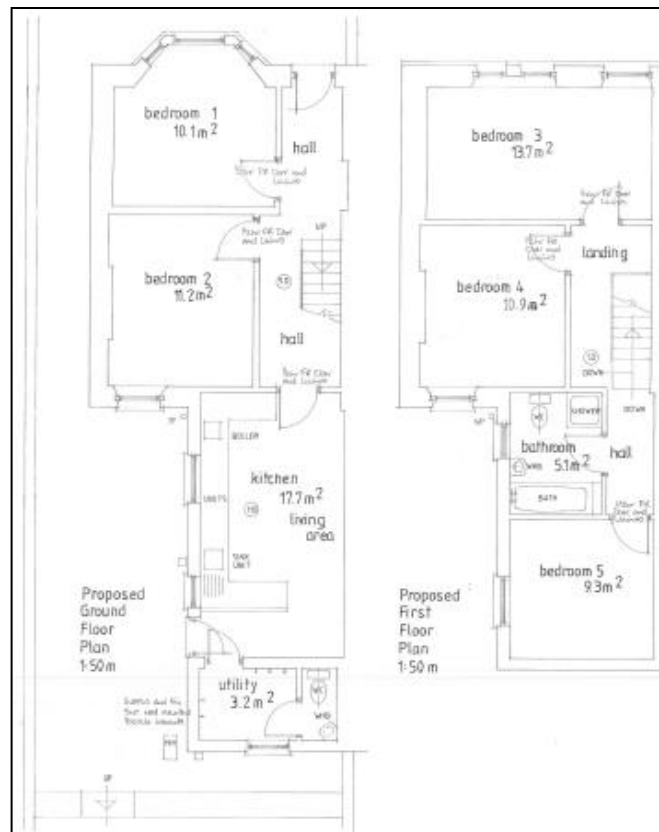


Figure 3 – Proposed Layout of the Building

The application site comprises a two storey semi-detached stone-faced dwelling with a pitched tiled roof. It is set back from the edge of highway, with a small front garden area

enclosed by a short wall with railings on top forming the front boundary with the adjacent pavement. Beyond the rear elevation of the property, there is an enclosed amenity space measuring approximately 7.8 metres in area. There is no on-site car parking available for the site and along this section of Coity Road, parking is controlled by double yellow lines.

To the north and east are other residential dwellings of a similar appearance. To the south is Brook Court which is a three storey bricked faced block of flats constructed at a later period than the other dwellings.

On the opposite side of the road is Ty Ogwr which is a modern three storey brick and rendered building containing flats with an associated car parking area to one side. Immediately to the north of this building is a site in commercial use (National Tyres) and to the south is Vesta Court which is a two storey building used as flats. This location is within the built-up area of Bridgend and whilst primarily of residential character there are some commercial uses.



*Figure 4 Photographs of the application site  
Street Elevation View*



*Rear Elevation of Application Dwelling (Brook Court is on the left)*





*View Looking Towards Rear Boundary of Site*

## **RELEVANT HISTORY**

None.

## **CONSULTATIONS**

**Bridgend Town Council:** Members felt that figures reported by BCBC to Welsh Government do not support the need for additional HMOs within Bridgend Town Council area to accommodate homeless people. Bridgend Town Council therefore objects to the application on the grounds that it will create an over intensification of HMOs within Coity Road.

**Highways Officer:** No objection subject to a condition to secure cycle parking on site

**Shared Regulatory Services:** No observations.

**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 22<sup>nd</sup> September 2023.

## **REPRESENTATIONS RECEIVED**

Cllr S. Bletsoe has confirmed that he would not be able to support this application and has requested that it be referred to the Development Control Committee for consideration on the following point:

“This property is directly opposite Ty Ogwr and Vesta Court, and is in very close proximity to Cornerstone House, all of which are heavily populated properties in a very small space and also full of many residents who require in depth and complex support. There three houses in such a small area cause a lot of disturbance to other residents already, without any moves to further increase the number of people who live at 50 Coity Road in this application. In my first year as a Councillor I have already received numerous complaints around the disturbance from the existing properties and concerns raised about the additional problems that would be brought about through this application. I am duty bound to represent these residents in this application in this way and ask that they be considered.”

## **PLANNING POLICIES**

### **National Planning Policy:**

**Planning Policy Wales** (Edition 11) was revised and restructured in February 2021 to coincide with publication of, and take into account the policies, themes and approaches set out in, **Future Wales - the National Plan 2040** and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW11 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision-making process.

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 (TAN) 12 Design

**The Well-being of Future Generations Act (Wales) 2015** places a duty on the Council to take reasonable steps in exercising its functions to meet the seven sustainable development (or wellbeing) goals/objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle" as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

**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 2006-2021, and within which the following policies are of relevance:

*Strategic Policies*

- **Policy SP1:** Regeneration Led Development
- **Policy SP2:** Design and Sustainable Place Making
- **Policy SP3:** Strategic Transport Planning Principles
- **Policy SP4:** Conservation and Enhancement of the Natural Environment
- **Policy SP12:** Housing

#### *Topic based policies*

- **Policy PLA1:** Settlement Boundary and Urban Management
- **Policy PLA11:** Parking Standards
- **Policy ENV6:** Nature conservation
- **Policy ENV7:** Natural resource Protection and Public Health
- **Policy COM3:** Residential re use of a building or Land

### **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 to be determined at the Development Control Committee as there have been objections raised by Bridgend Town Council. Cllr Bletsoe has also requested that this application be referred to the Committee for consideration if it is to be recommended for consent.

### **Issues**

Having regard to the above policy, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, 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 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. Policy COM3 of the LDP and Planning Policy Wales (2021) effectively supports the use of suitable, previously developed land for housing development as it can assist regeneration and at the same time relieve pressure for development on greenfield sites.

**Policy SP1** Regeneration-Led Development, states *“that development will be permitted where it provides the maximum benefits to regeneration at a scale that reflects the role and function of settlements as set out in the settlement hierarchy”*. It is considered that the change of use of the building to another form of residential use in a predominantly residential locality is compatible with surrounding land uses and is acceptable, providing a valuable alternative type of living accommodation to the locality. The 5 bed HMO use is not considered an overly intensive or incompatible use within its setting and it is also considered that the application site is located within a sustainable location, being located relatively close to public transport links and local amenities, with good pedestrian linkages close to Bridgend Town centre.

The development is considered to accord with Strategic Policy SP1 and Policies PLA1 and COM3 of the Bridgend Local Development Plan (2013) and can be supported in principle. Although the principle of such a residential use is accepted in land use planning terms, it is necessary to consider the aspects of this proposed use which may have the potential to adversely affect the amenities of the area.

### **Impact on Visual Amenity and Character**

Strategic Policy SP2 *Design and Sustainable Place Making* seeks to conserve and enhance the built environment states *“All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.”*

Local Planning Authorities should ensure that the proposed development should not have an unacceptable impact upon the character and amenity of an area. This current application does not involve any changes to the exterior of the existing dwelling and consequently the proposal would have no impact upon the visual character of the building or the surrounding area.

The proposed development is therefore considered acceptable and accords with Policy SP2 of the Bridgend Local Development Plan (2013).

### **Residential Amenity**

Policy SP2 of the LDP criterion (12) states *“that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected; which have been addressed as follows:*

#### **Overbearing and overshadowing impact**

The proposal involves no external alterations and consequently there are considered to be no issues in terms of the visual impact of the proposal through being overbearing to adjoining properties over and above what currently exists on site.

#### **Overlooking/loss of privacy**

In terms of overlooking and loss of privacy, the proposal involves no external alterations and as such the relationship between windows and habitable rooms would not change. The proposal would not have any unacceptable issues relating to overlooking over and above what already exists.

#### **Noise**

Policy SP2 Criterion (8) also states *“Development should Avoid or minimise noise, air, 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 5 bed HMO would not unreasonably compromise the level of amenity that is currently enjoyed and can be reasonably expected in such a

locality. The level of activity and other likely effects of the use would not significantly exceed what is experienced with the building being used as a single-family dwelling.

It is fully acknowledged that an HMO use, and particularly clusters in small geographical areas can potentially detract from the character of an area and contribute towards a number of perceived problems such as anti-social behaviour and noise disturbance. Nevertheless, a scheme of the scale detailed by the current application is unlikely to disrupt or adversely impact the levels of amenity enjoyed in the area to warrant the refusal of the application.

An HMO use is considered to be a form of residential use that is compatible with neighbouring residential uses and unlikely to detrimentally effect the existing character of the surrounding locality. HMO uses provide an important source of housing provision and play an important role in the delivery of a varied housing stock within the Borough, providing homes to a number of residents who are often unable to purchase their own homes. It is noted that there are other multi occupational buildings in proximity to the application site and that there is concern that the proposed HMO could cause additional disturbance to the area. There is no evidence however to suggest that the area is oversubscribed with HMOs and the causes of anti-social behaviour are recognised as being diverse and cannot be attributed to any housing type alone. A balanced approach must be taken to the consideration of the proposal and in this case, it is considered that the merits of an appropriately managed, small scale HMO use outweigh any perceived harm in the scheme.

If any issues relating to noise from future residents of the property did arise then it would be a matter for Shared Regulatory Services (SRS) Public Protection to investigate under their noise nuisance 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 shared kitchen / utility / living area and bathroom facilities being proposed to support the use.

At 50 Coity Road outdoor amenity space is located to the rear of the property for use by the future residents. This will allow for activities such as drying of washing and space for outdoor relaxation. The area to be provided is considered acceptable in terms of location and size.

#### Bin storage and cycle storage

Currently no details of bin storage areas or cycle storage for residents have been provided however a condition can be imposed to ensure suitable bin/recycling storage area is provided and also provide details of the cycle storage.

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 SP2 and ENV7 of the Bridgend Local development Plan (2013)

#### Highway Safety

Policy SP2 states that all development should have good walking, cycling, public transport and road connections within and outside the site to ensure efficient access. Policy PL11



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 in a sustainable location close to the town centre where there are an abundance of facilities and the main train and bus station for Bridgend. The property currently has no on-site parking provision and on street parking outside of the property is restricted by double yellow lines on both sides of the road.



*Figure 5 Restricted Parking on Coity Road Adjacent to Application Site*

The Highways Officer has provided comments on this application and has raised no objection. He has concluded that the existing 5 bed property generates a requirement for 3 off street parking spaces but does not benefit from any off-street parking. The proposed change of use of the property for use as a 5 bed HMO will not generate any different parking demand than is generated by the current property. No objections to the proposal have therefore been offered although a condition to secure cycle parking for 5 cycles on site will be imposed to enable residents to fully utilise sustainable travel modes.

On this basis it is considered that the change of use would not have an unacceptable impact on highway or pedestrian safety and is considered to accord with Policy SP2 and PLA1 of the Bridgend Local Development Plan (2013).

### **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 11 (PPW11) 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.”*

In terms of the proposed change of use, given that the location of the site is surrounded by other residential development, it is considered that the proposal is likely to have little detrimental impact upon biodiversity. However, to ensure a biodiversity gain is achieved a condition is recommended requiring the installation of a bird box on the site as part of the development. A note has also been added advising the applicants of their biodiversity responsibilities. The proposal is therefore considered acceptable in terms of biodiversity.

## **CONCLUSION**

This application for the proposed change of use of a C3 dwelling to a 5 bed HMO requires careful consideration of each of the material planning matters raised by the case and on balance it is concluded that the scheme can be recommended for approval and is considered acceptable in planning terms.

The development, subject to the imposition of conditions, complies with Council policy and guidelines and is not considered to adversely affect the character of the area, prejudice highway safety, privacy or visual amenities nor significantly affect the amenities of the neighbouring properties or the wider area as to warrant refusal of the proposal on these grounds. The proposal also does not raise any adverse biodiversity or land drainage issues.

The concerns that have been raised regarding an over intensification of similar types of uses in the locality are fully acknowledged, however on balance they are not considered to outweigh the other material issues of this case to warrant the refusal of the planning application. Members will be aware that any issues relating to the poor management of HMOs are resolved through a separate licensing regime and legislation and not through the planning system and planning permission does not override the requirement for a licence.

## **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:  
  
Draw. No. 2952 C Proposed Floor Plans, Location Plan & Block Plan received by the Local Planning Authority 18th August 2023.  
  
Reason: To avoid doubt and confusion as to the nature and extent of the approved development.
2. The premises shall be used for a house in multiple occupation (Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) accommodating a

maximum of 5 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 5 cycles has been submitted to 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 SP2 and SP3 of the Bridgend Local Development Plan (2013) 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 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 ENV15 of the Bridgend Local Development Plan, 2013.

5. Notwithstanding the submitted plans and prior to the first beneficial use of the development, an artificial nesting site for birds shall be erected on 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: To ensure the provision of nesting opportunities for wild birds and 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 11, February 2021) and Policies SP4 and ENV6 of the Bridgend Local Development Plan 2013.

6. \* THE FOLLOWING ARE ADVISORY NOTES 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 Local Development Plan (2013)

On balance and having regard to the objections and concerns raised the proposed development, The development, subject to the imposition of conditions, complies with Council policy and 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