

REFERENCE: P/24/249/FUL

APPLICANT: A & R James Assets Ltd Rodmore Farm, Rodmore Lane, St Briavels, Lydney, GL15 6QZ

LOCATION: 19 Nant Fforngw, Cefn Glas, Bridgend, CF31 4TJ

PROPOSAL: Retention of change of use from dwellinghouse (use class C3) to House in Multiple Occupation (HMO) (use class C4)

RECEIVED: 26 April 2024

DESCRIPTION OF PROPOSED DEVELOPMENT

Retrospective planning permission is sought for the change of use of a three-bedroom dwellinghouse (Use Class C3) to a 4 bedroom House in Multiple Occupation (HMO) with shared facilities at 19 Nant Fforngw, Cefn Glas, Bridgend.



Figure 1 – Site Location Plan



Figure 2 – Front Elevation

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).

The submitted plans show that the three-bedroom dwelling will not be altered externally to accommodate the change of use with one bedroom on the ground floor and a further three at first floor level. There would be a shared kitchen/diner, living room and bathroom on the ground floor, and a communal bathroom on the first floor.

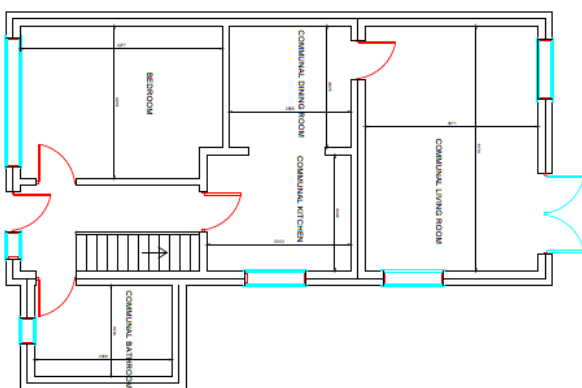


Figure 3 – Ground Floor Plan

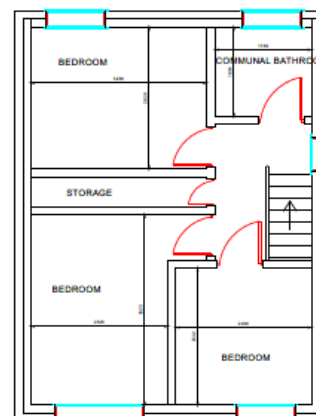


Figure 4 – First Floor Plan

SITE DESCRIPTION

The Application site is situated within the Primary Key Settlement of Bridgend, as defined by Policy SF1 of the adopted Local Development Plan (2018-2033). The site comprises a two-storey semi-detached dwelling situated towards the end of Nant Fforngw cul-de-sac. It

is of red brick, with cream render on the upper half of the front elevation. It has a flat-roof single-storey rear extension and a pitched-roof single-storey side extension. The site is lower than the cul-de-sac, and the driveway slopes upwards to the north, connecting the dwelling to the highway. The garden amenity area is to the rear.

RELEVANT HISTORY

App Ref	Description	Decision	Date
P/14/337/FUL	Single Storey Side Extension	Conditional Consent	28th Feb 2014

PUBLICITY

Neighbours have been notified of the receipt of the Application and a site notice displayed in proximity to the site.

The period for response to consultations / publicity expired on 31st May 2024.

CONSULTATION RESPONSES

Laleston Community Council: No response

Shared Regulatory Services (SRS) : No observations

Welsh Water: No objection

Highways: No objection

REPRESENTATIONS RECEIVED

Ward Member Cllr Blundell: Wish for this Application be called into the committee for decision, residents have raised concerns around the safety of their neighbours as police have had to be called to the property numerous times.

Ward Member Cllr Harrison: No response

17 letters of objection were received from residents of Nant Ffornwg, who have made the following observations:

Highway and Pedestrian Safety Issues

- a) Increased activity in the street with extra cars parking on the street
- b) Parking is already an issue

Strain on Local Services and Infrastructure

- c) The addition of a HMO would place additional pressure on local services and infrastructure, including waste collection, public transportation, and utilities.

Residential amenity Issues

- d) Police have been called out to the Application site multiple times. Anti-social behaviour: The screaming into the late night is stopping residents including children from being able to sleep.
- e) Elderly residents and young children will not be able to live and play safely on the street. Both parties are scared by the noise and shouting particularly at night
- f) Nocturnal noise
- g) Such behaviour by rental tenants wouldn't be allowed, they would be evicted.
- h) Accommodation of this type will result in a transient population, which can undermine the sense of community and stability in the area.
- i) Use of the site as an HMO would result in an overdevelopment of the site

Other Issues:

- j) The change of use occurred prior to the granting of any planning approval, no correspondence received from Applicant or LPA.
- k) Site notice was posted directly outside the Application property rather than shared with all residents on the street
- l) Unsuitable house or street for this project; there are no fire escapes due to no fire exit.
- m) The complex needs of the occupants are not being met.
- n) Contractors, carers and visitors regularly park on the neighbours drive without permission
- o) The use will impact property prices on the street
- p) There is no precedent for conversion into an HMO in this neighbourhood. To grant this HMO in this residential cul-de-sac would be a breach of the LDP, nothing similar has been introduced into Llangewydd Court, this would be a departure from the assurances at the initial planning stage in the 1970's.
- q) The proposal is not a house of multiple occupancy as per the definition by Regulator of Social Housing.

COMMENTS ON REPRESENTATIONS RECEIVED

Highway and Pedestrian Safety Issues

- a) The parking requirement for a HMO is equivalent to a residential dwelling of this size.
- b) This is a pre-existing issue in the area.

Strain on Local Services and Infrastructure

- c) This Application is to consider the land use planning merits of this Application. Recycling and waste disposal and collection will remain the same 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.

Residential amenity Issues

- d) Anti-social behaviour is ultimately a matter for the Police and the Environmental Health Department. 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 the perception of anti-social behaviour to recommend refusal of an Application. The planning system looks at the land use and not the people who would occupy the property.
- e) The future occupant(s) of a proposal is not a material planning consideration.
- f) The planning Application considered the land use, although a HMO in land use planning terms is not considered to create noise over and above a standard residential home.
- g) This is not a material planning consideration.
- h) There is a requirement for a range of different accommodation units in the Borough.
- i) The existing property would not be altered and would be occupied by a maximum of 4 people. This is not considered to result in the overdevelopment of the site. Each Application is determined on its own individual merits and assessed against

National and Local planning policies. There is no evidence to suggest the area is over prescribed with HMOs.

Other Issues:

- j) It is not illegal to undertake development or a change of use without planning Application. There is scope within the planning system to apply for Applications retrospectively. The Local Planning Authority cannot refuse an Application simply because it is retrospective in nature - all Applications must be considered on their own individual merits. Furthermore there is no requirement for the Applicant to consult neighbours prior to the submission of an Application.
- k) Public consultation is undertaken once a planning Application is submitted to the Planning Authority and was undertaken in accordance with the town and country planning (Development Management Procedure) (Wales) Order 2012 as amended and the general public have had the ability to view plans and make comments on the scheme.
- l) A three-bedroom family home can also host 4 persons; 2 adults and 2 children or even a larger family unit. This property will also be hosting a maximum of 4 persons. The property would be used in the same way as a normal residential home.
- m) This is not a material planning consideration.
- n) This is a private matter.
- o) Property prices are not a material planning consideration.
- p) An Application has been submitted for a HMO. Each Application submitted to the Local Planning Authority is determined on its own individual merits and assessed against National and Local planning policies.
- q) The proposal is a house of multiple occupation as per the Welsh Government definition, Section 254 of the 2004 Housing Act and the Council's current Local Development Plan (LDP 2024) definition.

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, PPW 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.”*

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009).
- Technical Advice Note 11 – Noise
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 18 – Transport (2007).

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

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.

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033 which was formally adopted by the Council in March 2024 and within which the following policies are of relevance:

Strategic Policy

- **Policy SP3:** Good Design and Sustainable Placemaking
- **Policy SP4:** Mitigating the Impact of Climate Change
- **Policy SP5:** Sustainable Transport and Accessibility
- **Policy SP6:** Sustainable Housing Strategy
- **Policy SP8:** Health and Well-being
- **Policy SP17:** Conservation and Enhancement of the Natural Environment

Topic Based Policy

- **Policy SF1:** Settlement Hierarchy and Urban Management
- **Policy PLA11:** Parking Standards
- **Policy PLA12:** Active Travel
- **Policy COM6:** Residential Density
- **Policy COM7:** Houses in Multiple Occupation
- **Policy DNP6:** Biodiversity, Ecological Networks, Habitats and Species

- **Policy DNP8:** Green Infrastructure

Supplementary Planning Guidance

- SPG02 - Householder Development
- SPG17 - Parking Standards
- SPG19 - Biodiversity

APPRAISAL

This Application is referred to the Development Control Committee to consider the concerns of the Local Ward Member and neighbouring occupiers.

The Council's Scheme of Delegation states that Applications would be considered by the Planning Committee where:

"An Application in respect of which more than two neighbours have submitted a material planning objection in writing/ electronically within the stipulated consultation period, which has not been resolved by negotiation or through the imposition of conditions, and which is recommended for approval. The Corporate Director Communities in consultation with the Chairman of the Development Control Committee shall determine whether objections from members of the same household be treated as one neighbour objection.

In this instance, 17 objections to the proposal have been received and consequently the matter of the delegation of this Application shall rest with the Corporate Director Communities in consultation with the Chairman of the Development Control Committee.

Principle Of Development

The site is located within the Primary Key Settlement of Bridgend within an established, residential area, 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 settlement boundaries at a scale commensurate with 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 site under consideration in this Application would classify as an appropriate site under Policy SP6 as it makes an important 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 development located within the Settlement Boundary AND in close proximity to bus and rail stations. All of the habitable rooms would benefit from natural light, ventilation, and a means of outlook onto Nant Ffornwg cul-de-sac or the rear garden amenity space screened by trees. 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, review of approved planning consents and an inspection of the surrounding area has identified no other HMOs located within 50m of the Application property.

There are other HMO's in the surrounding area, however these are all located more than 50 metres from the site currently under consideration. It should be noted that this policy applies to residential accommodation which provides shared housing only. Self-contained flats are not included as part of this assessment.

It is calculated that there are 26 properties within a 50m radius of the Application site. Therefore 2.6 HMOs would be permitted by the LDP criteria. This could logically be rounded up to 3. The current proposal would result in 1 No. HMO within the 50m radius and accordingly would not exceed the 10% threshold.

- 2) The proposal will not require any major extensions or alterations.
- 3) The scale and intensity of the use is considered to be compatible both with the existing building (as communal areas are provided for the residents) as well as with adjoining and nearby uses which are also primarily residential.
- 4) The property benefits from a single parking space. Additionally, the property is located in a sustainable location in close proximity to public transport hubs and other facilities.

It is noted that the Highways Officer has not raised any objections to the proposal.

- 5) The proposal provides for waste and recycling storage, alongside cycling parking. The proposal provides an area for outdoor drying to the rear of the building.
- 6) The proposed HMO is not expected to have any unacceptable impacts on residential amenity.

Accordingly, and for the above reasons, the proposal is considered to meet the criteria of Policy COM7 of the LDP and does not conflict with the LDP in this respect.

Policy SP3 Good Design and Sustainable Place Making 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

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).

Visual Impact

Policy SP3 of the adopted Bridgend Local Development Plan (2024) highlights all development should contribute to creating high quality, attractive, sustainable places by, amongst others:

- Demonstrating alignment with the principles of Good Design
- Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and character;
- Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;

Local Planning Authorities should ensure that proposed developments should not have an unacceptable impact upon the character and amenity of an area. In this case the proposal does not incorporate any external alterations. As such it is considered the change of use would have no unacceptable impacts upon the character of the building or the surrounding area over and above what already exists.

Accordingly, the proposed development is considered acceptable and accords with Policy SP3 of 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, overlooking and overshadowing impact

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

Noise

Policy SP3 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 a single occupation residential property.

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 separate 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 generous outdoor space to the rear that future occupiers could use.

Bin storage and cycle storage

An area for bin and cycle storage will be located at the rear of the building, within the garden area. A condition will be imposed to ensure suitable cycle parking storage and bin storage provision is available for the future residents of this 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 within a sustainable location within the Settlement Boundary, close to public transport facilities. The property contains a single parking space.

The Highways Officer has been consulted on the proposal as part of the Application process, and notes:

“The existing former 3 bedroom property generates a requirement for 3 off-street parking spaces. The property only benefits from a single driveway space. Accordingly the property generates overspill parking of 2 spaces which would ultimately be accommodated on-street in the vicinity of the property. The proposed conversion to a 4 bed unit is also considered to generate a maximum requirement of 3 spaces. Accordingly it is considered to be a nil detriment situation in terms of vehicular parking.”

Consequently, the proposed 4 bedroom HMO requires the same amount of parking as the previous 3 bedroom residential dwelling, and is considered to generate no further parking pressures on the local environment.

Highways have raised no objection but have requested that a condition be imposed for secure cycle parking to ensure residents can fully utilise sustainable travel modes.

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) in this regard.

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.”* PPW12 further states 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.”*

Policy SP3 of the adopted Local Development Plan (2024) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

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 an appropriate bird box is 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)

The concerns raised in the objections received have been taken into account in the determination of this proposal, however, on balance and having due regard to all relevant material considerations including those raised by the objectors, the proposed development, subject to the imposition of conditions, complies with Council policy and guidelines. Furthermore, the development 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).

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 and documents:

LOCATION PLAN
EXISTING FLOOR PLAN
BLOCK PLAN
PARKING PLAN
Bin and Cycle Storage

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. Notwithstanding the submitted plans, within 3 months of the date of this permission, a scheme for the provision of secure cycle storage for 4 cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage scheme shall be implemented within 6 months of this consent and retained as such thereafter.

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, within 3 months of the granting of any approval, 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 within 3 months of the date of this permission a scheme showing the location and design of a waste and recyclables storage enclosure(s) at the site shall be submitted in writing for the agreement of the Local Planning Authority. The approved scheme shall be implemented within 6 months of this consent and retained as such thereafter.

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.

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 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 affect the character of the area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities, particularly with regard to the fear of anti-social behaviour or crime emanating from the occupiers of the HMO, 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.

- 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.

d. The Applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The Applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None