

**REFERENCE:** P/25/8/FUL

**APPLICANT:** Mr M O'Connell 4 Oaklands Close, Bridgend, CF31 4SJ

**LOCATION:** 1 Grove Gardens, Bridgend, CF31 3EG

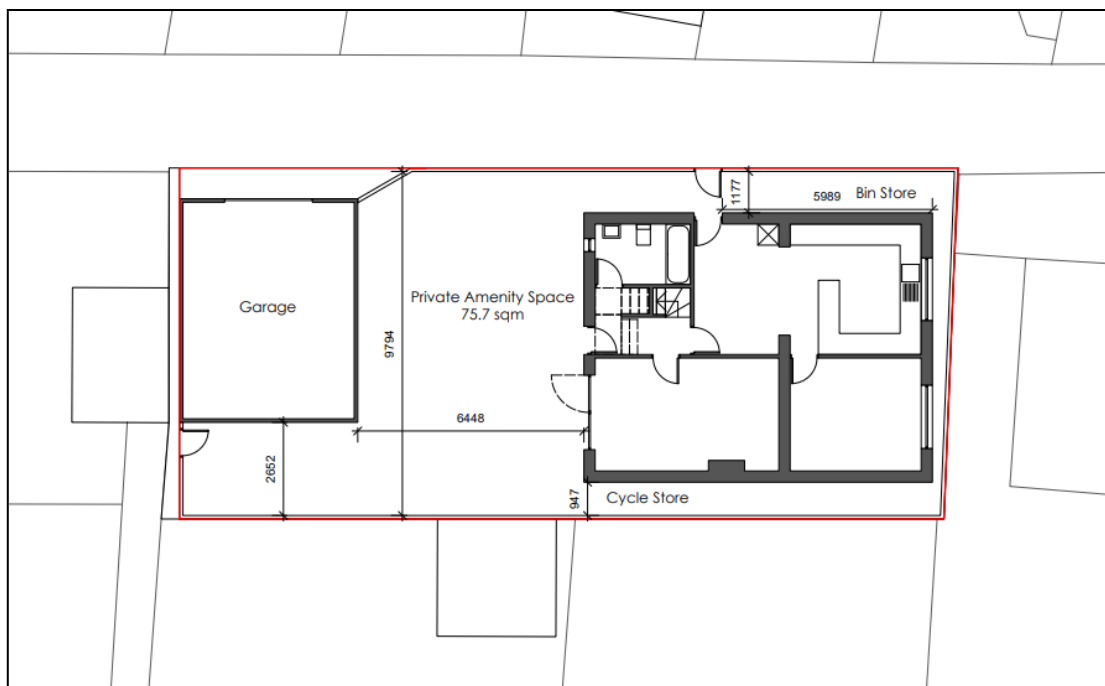
**PROPOSAL:** Change of use to 6 bedroom House in Multiple Occupation (HMO)

**RECEIVED:** 13 January 2025

### DESCRIPTION OF DEVELOPMENT

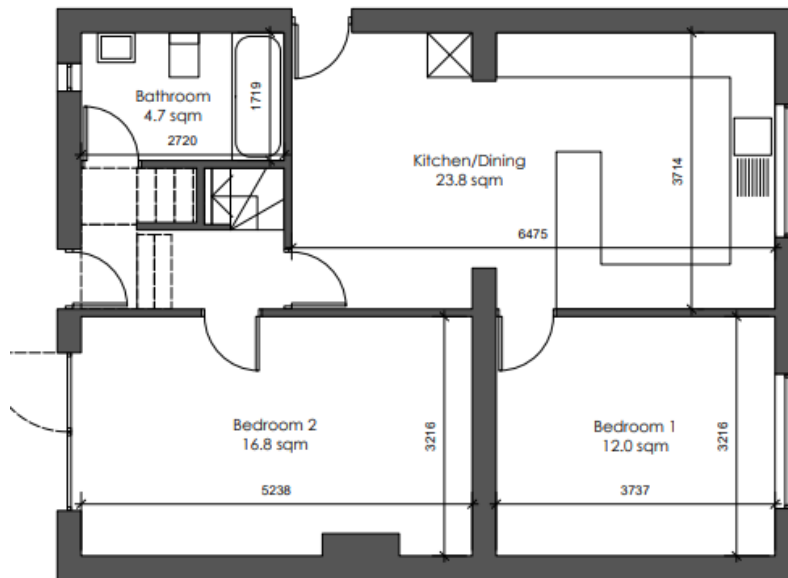
The Applicant is seeking retrospective planning permission for the change of use of the residential property at No. 1 Grove Gardens, into a 6-bedroom House in Multiple Occupation (HMO).

This is a Use Class C4 which 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).

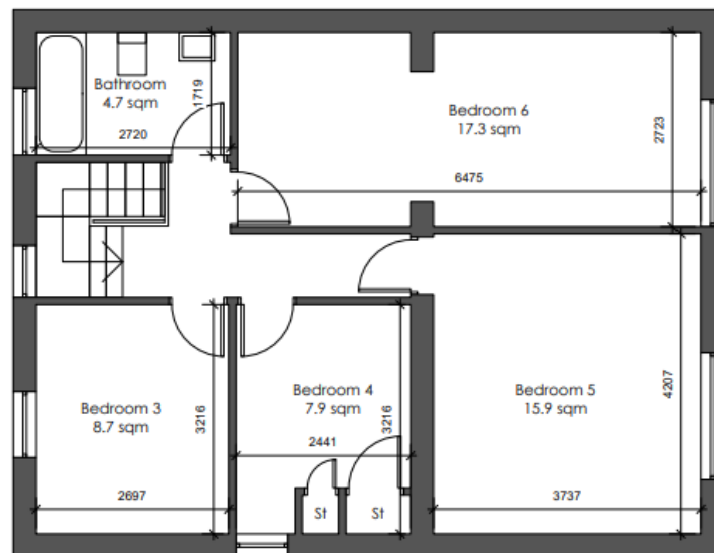


### SITE PLAN

The submitted plans show that the existing 4-bedroom house has been altered internally to accommodate the proposed change of use. The alterations involved the conversion of two downstairs rooms into bedrooms.



**GROUND FLOOR PLAN**



**FIRST FLOOR PLAN**

The property contains two bathrooms and a shared kitchen and dining room.

No further alterations or extensions are proposed to the existing building.

### **SITE DESCRIPTION**

The site is located within the Primary Key Settlement of Bridgend as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (RLDP) adopted in 2024.

The existing two-storey property contains an enclosed curtilage containing a large single garage and private amenity area. The site is enclosed by an approximately 2m high wall along its lane boundary.

Pedestrian and vehicle access to the property is obtained via the public service lane which runs down the rear of residential properties which front onto Grove Road and St Marie Street. The lane also joins Ewenny Road at its eastern end beside the SPAR store.



**LOCATION PLAN**



**APPLICATION PROPERTY AND GARAGE – LOOKING EAST**



**REAR LANE LOOKING WEST**



**EASTERN ELEVATION OF PROPERTY**



**AMENITY SPACE WITH GARAGE ON THE RIGHT**

The building is located within a predominantly residential area containing semi-detached and terraced housing. It is one of two residential properties located on the public lane and is sited approximately 70m from Ewenny Road.

Whilst the original planning records for the property have not been found, it appears that the dwelling was constructed as part of a comprehensive residential development which included the pair of semi-detached dwellings located at Nos. 12 and 14 Grove Road and the adjoining property at No. 2 Grove Gardens.

Both Nos. 1 and 2 Grove Gardens appear to benefit from a dedicated pedestrian access onto Grove Road. This access, which is fenced in part, runs down the western boundary of No. 14 Grove Road from a point at the rear of the detached garage which is located on

the Application site. This pedestrian access is located outside the red-lined Application site.

## **PLANNING HISTORY**

P/95/275/FUL – Change of use to bed and breakfast bedsits. Refused 12/05/1995. Appeal dismissed 4/10/1995

P/99/267/FUL – Domestic garage. Granted 27/04/1999.

## **CONSULTATIONS**

**Bridgend Town Council:** Objection on the grounds of an over intensification of HMOs in the area, traffic and parking concerns, highway safety, negative impact on character of the area and adverse impacts on the community and surrounding services.

**Highways Officer:** No objection subject to the imposition of a condition requiring cycle parking.

**Land Drainage:** No concerns raised.

**South Wales Fire and Rescue Service:** No objection.

**Shared Regulatory Services:** Adequate kitchen and bathroom facilities and fire safety measures in place.

## **PUBLICITY**

The Application was publicised by site notice and neighbours have been notified of the receipt of the Application. The period allowed for response to consultations/publicity expired on 25 April 2025.

## **REPRESENTATIONS RECEIVED**

**Fifteen letters of objection** were received from surrounding residents of Grove Road and St Marie Street and **one objection** from a resident of Pen y Fai. Concerns raised by these representations include:

- Overlooking and loss of privacy
- Density of HMOs and its impact on character of the area
- Loss of family housing
- Poor quality housing provided for transient people
- Issues with antisocial behaviour by residents of a St Marie Street HMO
- Parking issues for surrounding streets
- Narrow width of service lane and access issues for waste collection and fire service vehicles
- Proposal would add to fly tipping and litter in lane
- Lack of on-site parking
- Footpath access from Grove Road not public and HMO tenants would be restricted from using it.
- Property has been poorly maintained
- No public footpath is provided within laneway
- Privacy concerns raised on a previous Application to extend the dwelling and the use of first floor rooms has been subsequently altered
- Increased impact on privacy due to the more intensive use of the property its bedrooms
- Fire safety concerns. Building would require additional fire safety measures.
- Antisocial behaviour occurring behind the SPAR



- Additional residents would result in potential noise and disturbance
- Increase in crime and disorder
- Location of property does not encourage social interaction with neighbours
- LPA requires accurate data on location of other HMOs in order to establish their density
- Property located in an area of higher density housing, and this will likely result in a higher density of HMOs
- Waste and recycling have been left on adjoining properties and on non-collection days
- HMO located close to schools
- Impact on local infrastructure
- Contrary to PPW12 and TAN 2

## **COMMENTS ON REPRESENTATIONS RECEIVED**

Factors to be taken into account in making Planning decisions must be Planning matters, that is they must be relevant to the proposed development and the use of land in the public interest.

### Access to Grove Road

- The planning files for this property and its neighbour at No. 2 Grove Gardens indicate that it appears to benefit historically from the use of a private pedestrian right of way access to Grove Road which runs beside No. 14 Grove Road. The owner of No. 14 has indicated that any future tenants of an HMO would not be permitted to use this access.
- This access is not identified in the red-line site boundary submitted with the planning Application and the effects of its possible use cannot be considered as part of this development.
- Ownership and use of this access land would be a civil matter between parties.

### Other issues

- Issues in respect of anti-social behaviour are ultimately matters for the police and the proposal, which is a residential use, in purely land use terms is unlikely to inherently result in such serious levels of anti-social behaviour as to warrant or justify the refusal of this Application. Furthermore, there is no compelling evidence to suggest that HMOs 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, HMO use, for a maximum of six people, would not cause such anti-social behaviour or perception of anti-social behaviour to recommend refusal of the Application in this case.
- Compliance with National planning policy is addressed below.

The material issues raised in the objections received are addressed in the Appraisal section of this report.

## **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, 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 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 into 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 Replacement Local Development Plan 2018-2033 (**RLDP**), 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

### *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 ENT15:** Waste Movement in New Development
- **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 the Bridgend Town Council and neighbouring occupiers, one who has stated that they wish to be heard.

Having regard to the above, the main issues to consider in this Application relate to the principle of development, visual effects, impacts on the amenities of neighbouring residents, highway and pedestrian safety, waste movement and biodiversity.

### Principle of Development

The site is located within the Main Settlement of Bridgend and within an established, residential area as defined by **Policy SF1 Settlement Hierarchy and Urban Management** of the Bridgend Replacement Local Development Plan (**RLDP**) 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 RLDP 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 RLDP 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 dwelling providing additional good-sized bedrooms and communal facilities for up to six occupants. All habitable rooms would benefit from natural light, ventilation, and a means of outlook. For these reasons, the proposed HMO is considered to meet the criteria of Policy COM6 of the RLDP.

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 RLDP policies.'*

In terms of the above criteria, it is noted:

- 1) A search of the planning records and the Public Register of Licensed HMO's identifies one existing HMO within a 50m radius of the Application property. This is located at No. 30 St Marie Street. There are a calculated total of 49 properties located within 50m of 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 or 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) The site can accommodate covered and secure cycle parking for 6 no. cycles within the shared amenity area. One vehicle parking space is available within the existing garage. 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 site is able to provide for waste and recycling storage and a suitable clothes drying area within the existing amenity area. Provision of compliant cycle parking can be covered as a condition of planning approval.
- 6) The 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 RLDP.

**Policy SP3 Good Design and Sustainable Placemaking** of the RLDP 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 RLDP and subject to satisfying the requirements of Policy SP3, the proposed development is acceptable in land use planning terms and accords with the Bridgend Replacement Local Development Plan (2024).

### **Visual Impact**

Policy SP3 of the Replacement Bridgend Replacement 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.

The proposed development requires no alterations or additions to the property. As such, the proposal is considered to be visually acceptable and would not harm the character and appearance of the surrounding area. For these reasons the development is considered to be in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

### **Residential Amenity**

Policy SP3 of the RLDP 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 creates no issues in terms of building dominance or overshadowing, over and above what already exists on site.

#### Overlooking/loss of privacy

In terms of overlooking and loss of privacy, a number of neighbouring residents have raised concerns with these effects.

It should be noted that each of the four upstairs bedrooms have windows which look out across adjoining properties, and this appears to have been historically the case with the dwellinghouse when it was constructed. A drawing submitted with the 1995 change of use planning Application indicates that the floor plan of the dwelling remains essentially the same as it does today.

The first-floor windows do afford some views out across the gardens of adjoining and surrounding properties. Occupants of these bedrooms are able to overlook these gardens in the same way as the former occupants of the dwellinghouse could do, before it underwent a change of use. Accordingly, it is considered that these effects have not altered as a result of the change.

While it is noted that the converted property does not contain a communal lounge, it does possess a shared kitchen/diner. This provides space for residents to cook and eat together, as would any household. Likewise, the generous outdoor amenity space provides an area for relaxing and communal occasions by residents.

Bedrooms are generally of a size which afford a good standard of living for their occupants. These habitable spaces would contain the necessary sleeping facilities along with space for storage and desks etc., as would be found in a Use Class C3 dwelling house which was occupied by six residents living together as a single household.

#### 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 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 facility would have a satisfactory outlook with appropriate habitable space along with communal kitchen and dining facilities to support the proposed use.

The property has been inspected by the Team Leader of the Housing Enforcement and Pollution Control Section of Shared Regulatory Services, and the communal facilities have

been found to be acceptable with the appropriate fire safety measures in place.

With regard to outdoor amenity space, the proposed layout provides an accessible outdoor space at the side of the property that occupiers do and will use. The east facing space is a suitably sized 75 sq. m. area, and this is considered an acceptable level of provision for a 6-bedroom HMO.

#### Bin storage and cycle storage

A suitable waste and recycling storage area can be provided within the curtilage of the property, clear of the service lane. A condition is recommended to ensure suitable cycle storage is made available for the residents of the property and is retained.

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 Replacement 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 proposed change of use would include on-site parking for a single vehicle within the existing garage. While no formal cycle parking facilities are indicated on the plans, it was noted that bicycles are currently being stored on the property.

A number of objectors have raised concerns with the suitability of the service lane for access to the HMO and issues relating to on-street parking availability and safety.

Council's Highways Officer has reviewed the proposal and has visited the property. It is advised:

*'The existing 4 bedroom property generates a requirement for 3 off-street parking spaces but only benefits from a wide single garage for off-street parking. It is considered however that the proposed change of use to an HMO (for a maximum of 6 persons) will not generate any different parking demand which would otherwise require further provision.*

*Whilst the location of the site, served by a rear lane is not ideal, in respect of pedestrian movements, vehicular movements and access for deliveries and servicing (including emergency services) it is considered that residential use has already been established, and a 4 bedroom property could have 6 persons resident without the need for further consent. This fallback position is fundamental to the acceptability of the proposal.*

*A condition is requested for secure cycle parking to ensure residents can fully utilise sustainable travel modes.'*

The Highway Authority raises no objections to the change of use subject to the imposition of a cycle parking condition.

It should be acknowledged that the site is located in a sustainable location, well positioned in terms of local services and public transport. Some on-street provision is available on the surrounding streets if this is required by future tenants or visitors to the property.

Subject to land ownership and legal rights of passage, the Application property may benefit from pedestrian access to Grove Road. Whilst, this is in dispute if established the pedestrian footpath would provide an alternative access for residents of the HMO should they choose not to walk along the service lane.

While the service lane is narrow, it is currently utilised for vehicle and pedestrian access to the rear of many other properties including Nos. 1 and 2 Grove Gardens. It would appear to function adequately, providing access to garaging, rear gardens and on-site parking spaces. Its restricted width ensures low traffic speeds on a shared space. It is considered that the proposed change of use of a dwelling house to HMO would not detrimentally impact on the existing situation.

On balance it is considered that subject to the imposition of a suitable condition, 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 Replacement Local Development Plan (2024)

### **Waste Movement and Management**

Policy ENT15 of the RLDP – Waste Movement in New Development requires that all proposals for new built development must include provision for the proper design, location, storage and management of waste generated by the development both during construction and operation of the site. Development must incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel.

The plans submitted indicate no dedicated waste and recycling storage areas, however these can be provided within the property, clear of the service lane. A condition of consent is recommended to require the submission and approval of further details on waste storage along with a waste management plan which would outline the procedures for collection, storage and disposal of household waste from the HMO.

It should be noted that recycling and waste disposal and collection by the Council will remain, as would be the case for the former residential dwellinghouse. Tenants of the property will share kitchen facilities and waste/recycling management, and disposal would be a communal activity.

While the service lane is not accessed by Council's standard waste collection vehicle, waste operatives have confirmed that a smaller recovery vehicle is used to collect waste and recycling from the properties at Nos. 1 and 2 Grove Gardens.

Accordingly, planning consent to ensure that the proposal is compliant with Policy ENT15 of the RLDP.

### **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.”*

**Policy DNP6 Biodiversity, Ecological Networks, Habitats and Species** of the RLDP 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 modest change of use Application, to fully ensure the development meets the requirements of local and National planning policy that states *‘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 would be considered acceptable in terms of biodiversity.

### **Other Matters**

#### **Planning history**

It will be noted that in 1995 a former property owner was refused planning permission to convert the dwelling house into six bedsit units, three of which would have been in double occupation (potentially 9no. residents). The Council’s decision was subsequently upheld by the Planning Inspector. He found that the proposed use would not be out of character with the use of the adjoining properties and would not have an adverse impact on the amenities of those living nearby by virtue of noise and disturbance. However, it was concluded that the use and a proposal for 6no. on-site parking spaces would be likely to have a detrimental impact on the local traffic conditions. This was particularly in terms of visibility and safety where the service lane connects to the surrounding road network; the lack of compliant space for the proposed parking of six vehicles; and the likely increase in roadside parking in an area where parking was already in high demand. Whilst an application for a 6 bedroom HMO was refused and upheld on appeal, this Application differs in that parking will be limited to the garage.

#### **Building Regulations**

The Applicant has clarified that the current occupants of the HMO are on individual tenancy contracts rather than a group tenancy. Furthermore, it is advised that each of the bedrooms contains a locked door. That being the case, the premises will require Building Regulations approval. An informative note is recommended to advise the Applicant of this requirement and obligation.

#### **Fire safety**

The South Wales Fire and Rescue Service have been consulted on this proposal and



advised that they have no objection to the change of use. However, they advise that the Applicant should consider the need for the provision of adequate water supplies for firefighting and suitable access for firefighting appliances.

In this respect, it should be recognised that the dwelling and its neighbour at No. 2 Grove Gardens are over 30 years old and are situated in locations which may be difficult to access and service. The proposed change of use of this property from dwelling house to HMO does not alter this situation. As indicated above, the proposed change of use to an HMO will require the installation of a fire suppression system. This will therefore see an improvement in the fire safety credentials of this property.

## **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 Replacement 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, as to warrant refusal on those grounds.

The concerns raised by the objectors have been taken into account, however this is a planning decision which must be made on sound and material planning grounds. Any issues relating to the poor management of HMOs would be resolved through separate legislation and it is not for the planning system to control. These issues whilst clearly of concern to the objectors do not outweigh the other material planning considerations outlined above. As such, it is considered that the development is acceptable and complies with Policies SP3, SP5, SP6, SP17, SF1, PLA11, COM6, COM7, ENT15, DNP6 and DNP9 of the Bridgend Replacement 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**

(R64) That permission be GRANTED subject to the following conditions:-

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

SITE PLAN  
GROUND FLOOR PLAN  
FIRST FLOOR PLAN

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 6 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. Within 3 months of the date of this consent, a scheme for the provision of secure cycle storage for 6no. bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within one month of the date of the LPA's written approval and the cycle parking shall be retained for such 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 Replacement Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

4. Within 3 months of the date of this consent, a scheme of waste and recycling management for the property shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a suitably located, screened and managed designated area for waste and recycling. The approved scheme shall be implemented within one month of the date of the LPA's written approval and the approved scheme shall be thereafter retained and maintained in perpetuity.

Reason To ensure that adequate waste and recycling facilities are provided in accordance with Policy ENT15 of the of the Bridgend Replacement Local Development Plan (2018-2033).

5. Notwithstanding the submitted plans and within 3 months of the date of this consent, 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:

- 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 Replacement Local Development Plan (2024).

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 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 Replacement 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) - 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 conversion of the property should be completed in accordance with Building Regulations to ensure correct fire safety measures are in place including sprinklers.

d. 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 are obtained.

e. Chief Fire Officer advisories

The developer should consider the need for the provision of: -

- (i). adequate water supplies on the site for firefighting purposes; and
- (ii). access for emergency firefighting appliances as part of this development.

f. Land Drainage advisories

The Application form states foul water will be disposed to main sewer as existing, any new connection should be discussed with DCWW.

The Application form states that surface water will be disposed to main sewer, there is no increase in footprint therefore I have no surface water drainage concerns.

There is no increase in hard surfacing and the extension is smaller than 100m<sup>2</sup> therefore a SAB Application is not required.

No surface water is allowed to discharge to the public highway.

No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None.