ADRODDIAD PENNAETH CYNLLUNIO, CYFARWYDDIAETH YR AMGYLCHEDD

REPORT OF THE HEAD OF PLANNING, DIRECTORATE OF ENVIRONMENT

AR GYFER PWYLLGOR CYNLLUNIO CYNGOR SIR CAERFYRDDIN

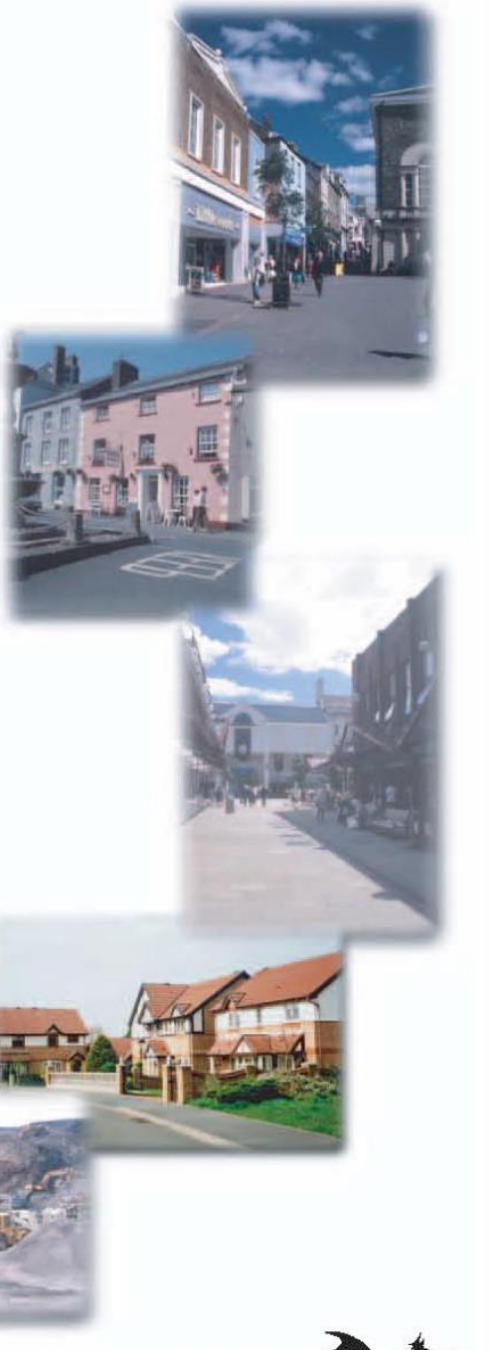
TO CARMARTHENSHIRE COUNTY COUNCIL'S PLANNING COMMITTEE

AR 22 AWST 2019

ON 22 AUGUST 2019

I'W BENDERFYNU
FOR DECISION

Ardal Dwyrain/ Area East



Cyngor Sir Gâr Carmarthenshire County Council

Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	**PLANNING COMMITTEE**
DATE:	**22 AUGUST 2019**
REPORT OF:	**HEAD OF PLANNING**

INDEX - AREA EAST

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	PAGE NO
E/38980	Conversion of terraced property into 6 bed HMO at 44 Quay Street, Ammanford, SA18 3EN	9 - 14

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	**E/38980**

Application Type	Full Planning
Proposal & Location	CONVERSION OF TERRACED PROPERTY INTO 6 BED HMO AT 44 QUAY STREET, AMMANFORD, SA18 3EN

Applicant(s)	PSW PROJECT MANAGEMENT LTD, CWM COTTAGE, CWMFFERWS ROAD, TYCROES, AMMANFORD, SA18 3TU
Agent	DARKIN ARCHITECTS - ASHLEY WOOD, 1 JOHN STREET, LLANELLI, SA15 1UH
Case Officer	Andrew Francis
Ward	Ammanford
Date of validation	14/06/2019

Reason for Committee

This application is being reported to the Planning Committee following the receipt of more than one objection from third parties.

Site

The application site consists of an existing residential terraced two storey three bedroom dwelling addressed at 44 Quay Street, Ammanford. The existing dwelling is one of a row of six units situated at the southern end of Quay Street, beyond the pedestrianised area, opposite the Ammanford Pensioners Hall and the Railway Hotel.

Not all the units in this row are residential – there is one art gallery and three hot food takeaways amongst the 6 units. As such, there area is clearly mixed use when taking into account the public house and pensioner's hall opposite also.

There is no on-site parking, though the site is served by a narrow rear lane.

The current dwelling is situated outside the Ammanford Town Centre Retail Core and Retail Frontage so falls to be considered under general LDP policies. However, the site is extremely close to the town centre and all its amenities so qualifies as a sustainable location and achieves the maximum reduction in car parking spaces.

Proposal

The application seeks planning permission to change the use of the existing residential dwelling (C3 Use) to a House in Multiple Occupation (HMO – C4 Use). The existing 3 bed residential dwelling seeks to accommodate 6 individual bedsits, split over both floors, with a communal kitchen, lounge, wet-room and bathroom on the ground floor. No external changes are proposed to the building.

As per the current dwelling, no parking is formally available on the plot and none is shown as part of the application.

Planning Site History

There is no planning history at this property.

Planning Policy

The following policies are of relevance to the proposal:-

Carmarthenshire Local Development Plan (Adopted December 2014) ('the LDP')

Policy GP1 Sustainability and High Quality Design
Policy H3 Conversion or Subdivision of Existing Dwellings

Carmarthenshire Supplementary Planning Guidance

National Planning Policy and Guidance is provided in Planning Policy Wales (PPW) Edition 10, December 2018 and associated Technical Advice Notes (TANs) published by Welsh Government.

Summary of Consultation Responses

Head of Transportation & Highways – Offers no observations regarding this proposal.

Ammanford Town Council – Objects to the proposal as there will be an increase in the number of occupants, based on 6 occupants living at the property but there is a lack of parking provision, particularly given the number of parking restrictions in the vicinity.

Local Member - County Councillor D Harries has not commented to date.

Dwr Cymru/Welsh Water – No objections subject to the imposition of planning conditions.

Natural Resources Wales – No comments received to date.

All representations can be viewed in full on our website.

Summary of Public Representations

The application was the subject of notification by way of neighbouring letters.

Two representations were received, both objecting. The matters raised are summarised as follows:

- There are major issues currently with parking in the area. This will make the situation worse.

- The area is also very busy and noisy. The proposed use will add to that, not to mention the upheaval of builders working there all day.

- The application documents seems vague, are there more details?

- This part of Ammanford has turned into a ghetto.

All representations can be viewed in full on our website.

Appraisal

Principle of Development

The use of existing residential properties as HMO's in areas close to town centres is a long established practice. What is more, prior to February 2015, in cases of 6 residents or less, where the occupants were living as a single family unit, the practice did not require planning permission.

Since February 2015, and the introduction of the C4 Use Class, such conversions now require planning permission. In turn, this allows the neighbouring occupiers of the properties to raise concerns they might have. In many cases, perhaps due to the size of the property, the intensity of the use of the building would be similar as if a family were to be living in the property. In this instance, up to 6 individuals would be accommodated. This would be up to the previous permitted development limit, but likely a more intense use than the current 3 bedroom family dwelling.

What is undeniable is that such uses tend to be most acceptable in locations close to the town centre. Taking into account this specific location, there is a varied mix of other uses also so the introduction of a HMO would not detrimentally detract from the area.

Amenity Impacts

The submitted plans show that no external changes are proposed to building. As such, it would be difficult to consider the impact of any amenity issues the proposal might raise. The potential intensification of the use of the building may lead to more noise but until the building is occupied, this will not be known. The issue would also be safeguarded by other legislation.

Highway Impacts

The main point of concern from Ammanford Town Council and one objector relates to the lack of parking spaces in the area. This is true, but it also affects the current dwelling which also has no parking spaces. The Authority's Head of Transport has been consulted and offers no observations on the proposal, essentially because the existing dwelling has no parking spaces and the new Use under the CSS South parking Guidelines is the same,

there would be no requirement to have to provide parking. It should also be noted that the site is in a very sustainable location close to the town centre and public transport links.

All three objectors have raised concerns relating to the access to the site off Plas Gwyn Road and via the busy private access lane that passes through the yard of the car repair garage. In considering this proposal carefully, the Authority's Head of Transport has advised that the proposal is considered to be acceptable from a highways perspective. As such, it is considered that the visibility from the private lane access onto Plas Gwyn Road is acceptable, private lane itself is acceptable and the plot can provide adequate parking and turning facilities to serve the proposed development.

Other Matters

With regard to the other matters raised as objections, the application as submitted might be considered to be vague by an objector, however, it provides all the information required to consider the proposal.

That objector also states that this part of Ammanford has become shabby and the provision of a HMO will facilitate the change of the area into a ghetto. This concern raised is understandable, but in the last few years, all of the buildings in the row have become occupied and are now in beneficial use and the provision of affordable accommodation will hopefully ensure that this property remains in beneficial use also.

The concern that the noise and disturbance caused by the building works will negatively affect an already busy and noisy area is, as Members will be aware, not a point that is material to the consideration of the application. It is the finished and occupied product that must be considered as some disruption is inevitable during development.

Planning Obligations

As the proposal is utilising exactly the same footprint as the existing building, no contribution is being sought for this development.

Well-Being of Future Generations (Wales) Act 2015

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

The site is within the settlement limits of Ammanford and within 60 metres of the defined Town Centre of Ammanford. This establishes it as a very sustainable location for such a development and as therefore, the principle this type of development would normally be considered as acceptable, provided all other material considerations can be met.

Prior to the change in the Use Classes Order in Wales in 2015, dwellings such as this could change into houses of multiple occupation supporting up to 6 people, living as a family unit, without planning permission. It was only after this change to the Order that a new Use Class was introduced – C4 and applications were required. It is considered that in this instance, the proposal would not lead to a detrimental impact on the surrounding land uses as it may be expected that a family of 6 could occupy this dwelling with a similar impact.

In addition, the applicant would also be required to comply with HMO regulations and obtain a license prior to any occupation, and the building would have to be compliant with the relevant building regulations set out by Building Control.

The material issues raised have been addressed by conditions to be imposed on the permission, should it be minded to approve. On balance, the concerns relating to the development which are considered to be planning related have been identified and addressed accordingly.

The proposed development is not considered to be detrimental to the existing street scene or the character of the street as there is no change and it will allow for the continued beneficial use of this building. As such, the application is recommended for approval, subject to the following conditions.

Recommendation – Approval

Conditions

1 The development hereby permitted shall be commenced no later than the five years from the date of this permission.

2 The works hereby granted consent shall be carried out strictly in accordance with the details shown on the following schedule of plans dated 22 May 2019:-

- Block Plan [002] 1:500 @ A4;
- Location Plan [001] 1:1250 @ A4;
- Proposed Block Plan [003] 1:500 @ A4;
- Proposed Elevations [302] 1:100 @ A3;
- Proposed Floor Plan [102 A] 1:100 @ A4.

3 The premises shall be used as a house in multiple occupation for no more than six persons and shall not be used for any other purpose.

Reasons

1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2 To ensure that only the approved works are carried out.

3 To ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

Reasons for Granting Planning Permission

The decision to grant 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.

- It is considered that the proposed development complies with Policy GP1 of the Carmarthenshire Local Development Plan (LDP) in that the proposal conforms with and respects the character of the original dwelling and appearance of the site by virtue of its unchanged external design. It is considered that the proposed use would not have an unacceptable impact upon the amenity of adjacent land uses or the residents of the properties. The proposal, by virtue of its sustainable location does not give rise to parking or highway safety issues and provides for the satisfactory generation, treatment and disposal of surface and foul water.

- It is considered that the proposed development complies with Policy GP2 of the Carmarthenshire Local Development Plan (LDP) in that the site is located within the development limits and within the Town Centre in a sustainable location.

- It is considered that the proposed development complies with Policy H3 of the Carmarthenshire Local Development Plan (LDP) in that the submitted plans submitted show that dwelling's conversion to a six bedroom House in Multiple Occupation would not result in over intensification of use as the property as a house could be occupied by 6 people.

Notes/Informatives

1 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.