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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 14/03/17

gan **P J Davies BSc (Hons) MA MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 19.04.2017**

## Appeal Decision

Site visit made on 14/03/17

by **P J Davies BSc (Hons) MA MRTPI**

**an Inspector appointed by the Welsh Ministers**

**Date: 19.04.2017**

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**Appeal Ref: APP/B6855/A/16/3165057**

**Site address: 96 King Edwards Road, Swansea SA1 4LU**

**The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Chai & Chai against the decision of City and County of Swansea Council.
  - The application Ref 2016/1380, dated 7 July 2016, was refused by notice dated 13 December 2016.
  - The development proposed is conversion of existing single residential dwelling into house in multiple occupation and single storey rear extension.
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### Decision

1. The appeal is allowed and planning permission is granted for conversion of existing single residential dwelling into house in multiple occupation and single storey rear extension at 96 King Edwards Road, Swansea SA1 4LU in accordance with the terms of the application, Ref 2016/1380, dated 7 July 2016, subject to the conditions in the attached schedule.

### Procedural Matters

2. The appeal relates to a large residential property that appeared to be in shared accommodation at the time of my visit. Notwithstanding this, the existing plans suggest that the house was a 5 bedroom dwelling and whilst the proposed plans indicate 8 'rooms' in addition to a kitchen and shower / toilet facilities, the evidence submitted by the appellant clarifies that the appeal seeks permission for a 7 bedroom House in Multiple Occupation (HMO). My decision is made on that basis.

### Main Issue

3. This is the effect of the proposal on the character and amenity of the surrounding area.

### Reasons

4. Amongst other things, Policy HC5 of the City and County of Swansea Unitary Development Plan (UDP) seeks to ensure that housing conversion proposals do not contribute to harmful concentration or intensification of HMO's in a particular area. This is consistent with the objectives of Planning Policy Wales Edition 9 (PPW) to

ensure that housing development, or the cumulative effects of development, does not damage an area's character and amenity.

5. It is evident from the Council's records of existing HMO licences that there is a high concentration of HMOs in the area. In the King Edwards Road locality, records suggest that some 52% of dwellings are HMOs. A report published in 2015 by Welsh Government (WG), '*Houses in Multiple occupation: Review and Evidence Gathering*', identifies problems commonly associated with high concentrations of HMOs which include damage to social cohesion, a reduction in family homes, anti-social behaviour and increased pressure for parking. Having regard to local representations, I do not doubt that these issues are having some impact in the area around the appeal site.
6. The evidence indicates that compared to Swansea as a whole, Uplands has a high population density and a large proportion of residents aged between 16 and 24. However, whilst I understand local concerns, it is nevertheless the case that HMO's in this area are already established alongside family housing in fairly balanced numbers. An additional HMO in this location would not therefore result in any material change to existing circumstances.
7. In addition, whilst I recognise the cumulative effects that development can have, there is no identified threshold supported by evidence to demonstrate the point at which any further HMO's would have an adverse effect on the amenity or character of the area. The ward profile and census data establishes a high student population and a large proportion of private rented accommodation in Uplands, but there is little evidence that directly relates this to an unbalanced or unsustainable community. In fact, the census data shows a good mix of tenure types with over 46% in private ownership, either owned outright or with a mortgage. Similarly, concerns relating to a transient population and the effects on community facilities are not verified by any tangible details as to which community facilities are being affected in the area or to what extent, or how any such effects correlate with HMO accommodation type. Although students are generally away from the area during holiday periods, they are also likely to support local facilities such as sport centres, libraries, and shops. I note that the Council has consulted on supplementary planning guidance for HMO's but given its draft status I am unable to attach any significant weight to it.
8. I accept that houses that are occupied by non-family households are likely to have issues of rubbish management and litter, as well as some noise and /or anti-social behaviour but these are matters capable of being addressed by police enforcement, HMO licensing and street cleansing and community engagement strategies. Moreover, external storage space for refuse and cycle parking is available at the appeal property, and this could be enforced by a condition to ensure that such facilities are provided.
9. On the available evidence I conclude that the proposal would not cause any material harm to the character and amenity of the area. It would therefore comply with UDP Policy HC5 and PPW.
10. I have had regard to the Council's suggested conditions, and in addition to the commencement and plans compliance conditions, I have attached conditions relating to the provision of refuse and cycle storage in the interests of general amenity. A condition relating to the replacement of the proposed balcony with flush fitting balustrade is also necessary to safeguard the privacy of adjoining residents. I note the condition requiring provision of a car parking area, however relative to a five bedroom house, a 7 bedroom HMO in this accessible location close to shops and public

transport would not result in any material increase in parking demand to warrant a condition in this regard.

11. I have considered 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 ('WBFG Act'). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider 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 as required by section 8 of the WBFG Act.
12. For the above reasons, and having regard to all other matters raised, I conclude that the appeal is allowed.

*P J Davies*

**INSPECTOR**

### **Schedule of Conditions**

- 1) The development shall begin not later than five years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans and documents: location plan/block plan, proposed first floor plan, proposed ground floor plan and proposed second floor plan, existing and proposed elevations.
- 3) Details of the facilities to be provided for secure and undercover storage of four cycles and refuse shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the agreed detail before the development is occupied.
- 4) Notwithstanding the submitted plans, details of a flush fitting balustrade in place of the proposed balcony shall be submitted to and agreed by the local planning authority. The development shall be carried out as agreed before the development is occupied and thereafter retained in its approved form.