



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: 04.05.2017

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: 04.05.2017

Appeal Ref: APP/B6855/A/17/3167108

Site address: 124 St Helens Avenue, Swansea SA1 4NW

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 Jonathan Johnston against the decision of City and County of Swansea Council.
 - The application Ref 2016/1038, dated 24 May 2016, was refused by notice dated 8 September 2016.
 - The development proposed is: Change of use from residential (Class C3) to 5 bedroom HMO (Class C4).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from residential (Class C3) dwelling to 5 bedroom HMO (Class C4) at 124 St Helens Avenue, Swansea SA1 4NW in accordance with the terms of the application, Ref 2016/1038, dated 24 May 2016, subject to the conditions in the attached schedule.

Procedural Matter

2. I have used the Council's description of the development as it is more precise.

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 vicinity of St Helens Avenue, records
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suggest that around 40% 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 petitions and individual representations, I do not doubt that these issues are having some impact in the area around the appeal site.

6. The appeal site is in the Uplands Ward where the evidence indicates that 49% of the population are students. However, although I understand local concerns, it would appear to be the case that that HMOs 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 substantiated threshold to demonstrate the point at which any further HMOs would have an adverse effect on the amenity or character of the area. Although the ward profile and census data establishes a high student population and a large proportion of private rented accommodation in Uplands, there is little evidence that directly relates this to an unbalanced or unsustainable community. 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 provide some support for local facilities such as sport centres, libraries and shops. I note that the Council has consulted on supplementary planning guidance for HMOs 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 plans compliance conditions, I have attached a condition relating to the provision of refuse and cycle storage in the interests of general amenity. Given the accessible location of the appeal property and that a change from a family dwelling to a HMO would not result in any material increase in parking demand, it is not necessary to attach a condition relating to the provision and retention of the rear parking space.
11. In reaching my decision, I have taken account of the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's 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 WCFG 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

- 2) The development shall begin not later than five years from the date of this decision.
- 3) The development shall be carried out in accordance with the following approved plans and documents: site location plan, proposed floor plan dated 31.5.2016, and amended block plan.
- 4) Details of the facilities to be provided for secure storage of 5 cycles and refuse storage 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.