

Planning Committee – 1st October 2019

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

LDP - H9 - Housing in Multiple Occupation

Housing in Multiple Occupation - Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where they comply with relevant policy principles.

LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

Site History

App Number	Proposal	Status	Decision Date
2019/1617/FUL	Change of use from 3 bedroom residential (Class C3) to 4 bedroom HMO (Class C4)	PDE	

Procedural Matter

This application is reported to Planning Committee for decision as it is of strategic importance when considering the application of new policy within the Local Development Plan.

Description

Full planning permission is sought for the change of use of a residential dwelling (Class C3) to a 4 bedroom HMO at (Class C4) at 141 Western Street, Swansea.

Plans indicate that the existing 3 bedroom property will be reconfigured through some internal changes to the ground floor only. The existing first floor will remain unchanged and provides 3 bedrooms and a bathroom. There is also an additional attic room providing further shared amenity space/store. During the course of the application, the ground floor plan has been amended to remove the fifth bedroom and retain a shared living room and provide a bedroom to the rear, a separate kitchen and dining room. No external alterations are proposed. Refuse and cycle storage will be provided within the rear courtyard garden area.

Assessment of the immediate area

The character of this area is typically residential in nature with predominantly terraced streets interspersed with some local business uses. The area is also popular for HMO accommodation given the proximity to local education facilities and the City Centre and is located outside of the HMO Management Area.

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The application property is a terraced house that fronts onto Western Street. There are no off street parking spaces and the nature of the area is, in the main, on-street parking. The application site is within walking distance of the City Centre, with easy access to the central bus station and the train station.

Planning History

There is no recent planning history in relation to this terraced property.

Policy Issues

The Swansea Local Development Plan ('LDP') was adopted 28th February 2019, the policies contained within this will therefore be used in the determination of this application. In the case of this particular proposal, the LDP contains a specific policy relating to HMO applications - H9. It is significant that this policy has been substantively re-cast from the version that was originally drafted in the Deposit Plan and subsequently adopted. This re-write of the policy followed receipt of the Ministers of the Welsh Government (through the Cabinet Secretary for Energy, Planning and Rural Affairs) letter, sent to all Local Authorities in Wales in February 2018. The Ministerial correspondence emphasised that LPAs need to 'Put in place robust local evidenced based policies in their LDP against which planning applications for HMOs can be assessed', and that 'LPAs must not delegate the criteria for decisions on planning applications to SPG'. The LDP Examination Inspectors clearly articulated to the Council, that, in order to reflect the requirements set out by the Welsh Ministers, it was necessary for Policy H 9 of the Deposit LDP to be amended such that it includes a more prescriptive definition of what constitutes 'harmful concentration/intensification', including defining the actual HMO threshold limits within the policy. The policy was amended on that basis and significant additional detail was included with it, setting out the basis upon which such applications are proposed to be considered over the Plan period. The policy has been informed by a detailed evidence review, including a comprehensive programme of stakeholder engagement, undertaken by consultants on behalf of the Council. Having regard to the evidence review and the specific circumstances that apply for Swansea, the adopted Policy H 9 states:

Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where:

I. Within the HMO Management Area, it would not lead to more than 25% of all residential properties within a 50m radius of the proposal being HMOs;

II. outside of the HMO Management Area, it would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;

III. the development would not result in a Class C3 dwelling being 'sandwiched' between adjoining HMO properties;

IV. the property is suited for use as a HMO, and will provide satisfactory private amenity space, dedicated areas for refuse storage and appropriate room sizes; and

V. there would be no unacceptable adverse impacts caused by noise nuisance and general disturbance.

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HMO proposals within small streets that do not breach the 50m radius maximum threshold will not be supported if the proposal would create a disproportionate over concentration of HMOs within that street.

HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

Responses to Consultations

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to nos. 140, 142 and 146 Western Street on 8th August 2019. A site notice was also posted within the vicinity of the application site on 8th August 2019. No public responses were received as part of the consultation process.

HMO Licensing Team - The property comes under the Housing Act 2004 additional HMO licensing requirements. The owner would require a HMO licence.

Analysis and Recommendation

Key Issues

In view of the above mentioned policy context the key issues to consider in this planning application relate to the principle of the use of the dwellinghouse as a HMO, impact upon the residential amenities of neighbouring occupiers and future occupiers along with parking and highway safety impacts.

Principle of Use

The application property is a terraced, two storey dwelling (with a further room within the roof space), in a densely populated urban area on the fringe of the City Centre, and within easy walking distance of the facilities available in the City Centre. In terms of the principle of use, reference must be made to Policy H 9 of the Local Development Plan and specifically the radius approach contained within this Policy. The application property is located outside the HMO Management Area designated in the Plan and illustrated on the Proposals Map. Policy H 9 states that outside the HMO Management Area a limit of 10% of all residential properties within a 50m radius can be HMOs.

Within a 50m radius of the application property there are 36 residential units and according to records held it appears that 4 properties are existing HMOs (5 including the proposed HMO). On the basis of the above, if the proposed HMO was approved the concentration percentage would be 13.89% within the 50m radius and therefore would be above the 10% threshold. The proposal would therefore fail the harmful concentration /intensification test described in Policy H 9 of the LDP.

However, notwithstanding that the proposal would breach the 10% threshold, Policy H 9 further states:

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HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

Consideration of this aspect of the Policy will rely upon the facts of a specific case and the impacts of the proposal. In this instance whilst it is clearly recognised that there will be a breach of threshold test it is also apparent that the proposal results in the removal of a 'sandwiching' impact. Here the evidence available to the local planning authority demonstrates that No 142 was granted planning permission for a 4 bedroom HMO (Ref:2018/0391/FUL) and is currently used as a HMO (on the HMO public register) whilst No 140 Western Street was granted planning permission for a 4 bedroom HMO on 28th February 2017 (Ref:2016/3350). No. 140 Western Street is not currently on the HMO register, however, the planning permission remains valid and could be implemented at any point up until February 2022.

In support of the proposed change of use to a HMO, the applicant has submitted a statement:

Applicant Supporting Statement:

'I currently live in the property and since the students moved in next door, there have been a lot of late night disturbances, not enough to involve the police but enough to disrupt normal life.

My cousin lived in the property for a short time previously. He works as a personal trainer meaning that he would need to be up early for work, and due to being frequently disrupted late at night decided to move out.

Now that the property the other side of us has also become a HMO, I can only imagine the situation will get worse. For this reason I have decided to try and make our home a HMO and move out as I don't believe a family would want to buy the house and live here or rent it. The property is a terraced house and is sandwiched between two HMOs.'

Officer comment - From discussions with the applicant, this is the long standing family home. The property has not been marketed for sale as the family do not want to sell, but due to noise and disturbance which will be exacerbated when the property next door becomes occupied as a HMO, no member of the family wants to continue living there on a permanent basis

It should be recognised by members that the original inclusion of the 'sandwiching' element of the Policy was included in the Local Development Plan following particular concerns raised during engagement on the previously drafted SPG. The Local Planning Authority recognised that considering the amenity of 'sandwiched' residents was to be a key factor in decision making. In the interests of fairness and consistency it would therefore naturally follow that those properties that are 'trapped' should be allowed to be 'released' thus avoiding future sandwiching from occurring.

On balance of the above issues it is considered here that the circumstances represent an overriding material consideration that demonstrably outweigh concerns regarding harmful concentration or intensification. The basis of this is that if the application is not approved any future residents of the application property will likely have long term negative amenity impacts being sandwiched between two HMOs.

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This property is already sandwiched between adjoining HMO properties contrary to what criterion iii. of Policy H 9 seeks to avoid and thus the application results in removal of the impact. On this basis the principle of the HMO is considered to be acceptable.

There are further criteria set out in Policy H9 that need to be satisfied for the application to be considered acceptable, the property needs to be suitable for conversion, provide satisfactory amenity space, dedicated areas for refuse storage and appropriate room sizes. Consideration of these impacts is given in the below paragraph.

Residential Amenity

The existing property comprises a two storey dwelling (with a further room within the roof space) which currently has three bedrooms and a bathroom at first floor and one large living room, a dining room and a kitchen to the ground floor.

The proposed first floor retains the three bedrooms and a bathroom. A separate lounge/living room, one bedroom, kitchen and dining room is proposed to the ground floor, to facilitate the change of use into a 4 bedroom HMO. There is private amenity space to the rear, which can accommodate cycle storage and bin storage.

Good planning and design extends to the living conditions of the future residents of the property, regard can therefore be made to the 'Places to Live Residential Design Guide'. Whilst this document provides guidance in relation to large scale housing development it does provide key principles in relation to privacy and amenity and states in relation to the design of rooms, at page 61, that "*homes should have a convenient layout for everyday living with adequate storage and space to move about*". A site visit inside the property has been carried out to assess the level of accommodation provided.

In this proposal, the proposed bedrooms are of adequate size and a separate living room, kitchen and dining room is to be retained. There is a further attic room, which is also available for informal use/storage. There is room in the external rear courtyard to accommodate bin and cycle storage. (The applicant would need to apply for a HMO licence, which is covered under separate legislation).

On this basis, it is considered that acceptable living conditions can be provided for 4 residents accordance with the aims of policies PS1, PS2 and H9 of the Swansea Local Development Plan and the advice contained within the Place to Live Residential Design Guide.

Regard needs to be given to the fact that a small family could occupy the property as a single residential dwelling, which is currently the existing situation. From visiting the property, it is considered that the use of the property as a 4 bedroom HMO would not result in an unacceptable intensification of the use of the building over and above the current residential use.

Parking and Highway Safety

The applicant has indicated a small dedicated area for cycle storage within the rear garden area.

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The Authority's Parking Standards SPG requires that HMO properties have 3 car parking spaces for up to 6 sharing. The SPG was produced at a time when planning permission was not required for a HMO for up to 6 sharing and it was accepted that the level of use and highway considerations would be akin to that of a C3 dwellinghouse. In terms of the SPG the proposed 4 bedroom HMO would generate a requirement for 3 onsite parking spaces.

The SPG provides worked examples of use of the standards (page 9), however, this does not include reference to HMO proposals other than reference to a conversion of a dwelling into 3 separate flats. In that particular example where the number of parking spaces cannot be provided on site it suggests that 'if possible' spaces should be provided at the rear of the premises and that if the site is too small to provide parking and kerbside parking pressure is not evident then an allowance of on-street parking immediately outside the property may be possible. It also refers to local circumstances dictating the approach to be taken. Whilst having regard to the general advice in relation to conversions into flats the Local Planning Authority must assess the application on the basis of the potential impacts arising from the proposal and whether this would harm highway safety in the area.

The proposal will therefore not impact the availability of parking spaces onsite compared to previously existing conditions. On this basis, along with the fact that the site lies within walking distance of a range of facilities within the City Centre with a frequent bus route, and access to the train station, and provision will be made on site for cycle storage to support sustainability, it is not considered that the application will result in any adverse effects on local car parking and highway safety, that can be demonstrated as so harmful to warrant a recommendation of refusal.

In view of the above, the proposal is not considered to have any greater impact on highway safety or parking over and above the existing extant use of the property as a residential dwelling, and is therefore in compliance with the provisions of Policies PS 2, H 9 and T 6 of the Swansea Local Development Plan and advice contained within the Parking Standards SPG.

Conclusions

In conclusion, it is considered that whilst this particular proposal results in a breach of the threshold set out in Policy H 9 (13.89% within the 50m radius and therefore above the 10% threshold) it will result in removal of a sandwiching impact and potential future amenity impact and thus given the evidence before the LPA including that provided by the applicant is considered to represent an overriding material consideration that demonstrably outweighs concerns regarding harmful concentration or intensification which would be breached by 3.89%. The HMO is considered to be acceptable on other material planning grounds and complies with the principles of policies PS2, H 9 and T6 of the Swansea Local Development Plan.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

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RECOMMENDATION

APPROVE Subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The development shall be carried out in accordance with the following approved plans and documents:
Existing and Proposed Floor Plans (Amended) Received on 30th August 2019, Site Location Plan and Block Plan Received on 12 July 2019.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 The use of the property as a HMO shall be limited to a maximum of 4 persons at any one time occupying the property in accordance with the internal layout indicated on the approved floor plans received 30th August 2019.
Reason: In order to restrict the use of the property to that applied for, in order to safeguard the amenities of neighbouring occupiers and the amenities of future occupiers of the HMO and to provide for suitable levels of internal space to serve the occupiers.
- 4 Notwithstanding the submitted details, prior to the first occupation of the development hereby approved, details of facilities for the secure and undercover storage of a minimum of four bicycles and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained and not used for any other purpose.
Reason: In the interests of sustainability and to encourage alternative forms of transport and to safeguard the visual amenity of the locality and the residential amenities of future occupiers.
- 5 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking or re-enacting that order with or without modification), no extensions shall be erected to the property without the benefit of planning permission.
Reason: In order to restrict the use of the property in order to safeguard the amenities of neighbouring occupiers and the amenities of future occupiers of the HMO to provide for suitable levels of internal space to serve the occupiers

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS1, PS2, H9 and T6.
 - 2 PLANS
Existing and Proposed Floor Plans (Amended) Received on 30th August 2019, Site Location Plan and Block Plan Received on 12 July 2019.
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Item 2

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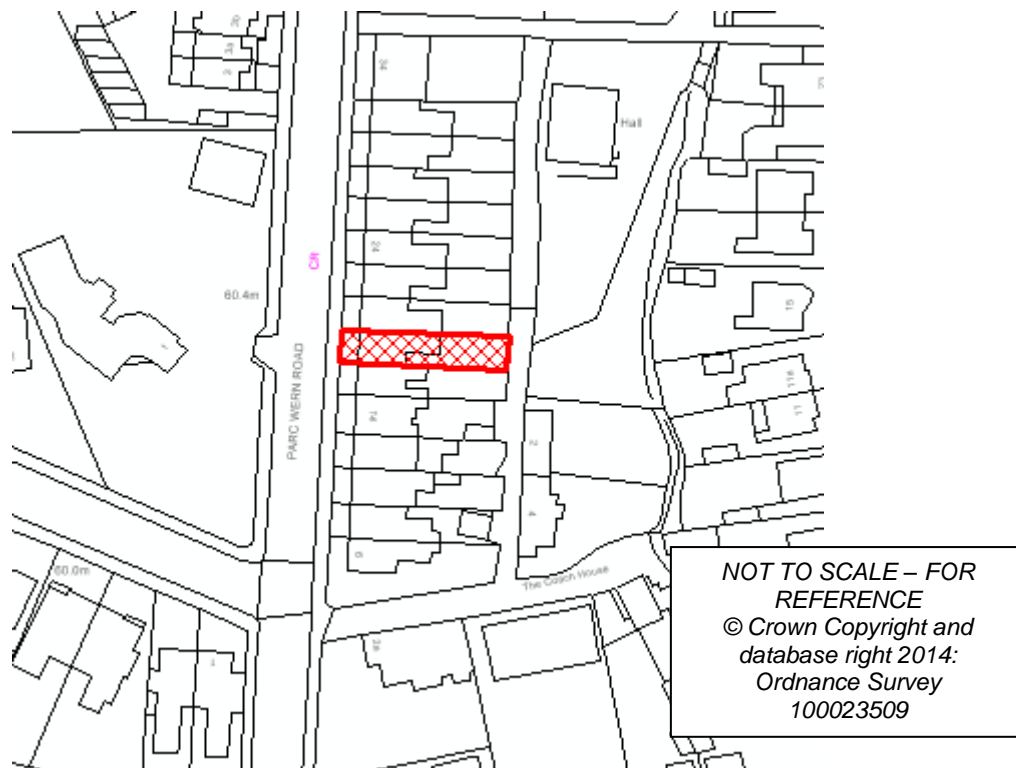
Ward:

Uplands - Bay Area

Location: 18 Parc Wern Road, Sketty, Swansea, SA2 0SE

Proposal: Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4)

Applicant: Mr Richard Ramage



Background Information

Policies

LDP - PS2 - Placemaking and Place Management

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

LDP - H9 - Housing in Multiple Occupation

Housing in Multiple Occupation - Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where they comply with relevant policy principles.

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LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

Site History

App Number	Proposal	Status	Decision Date
2019/1683/FUL	Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4)	PDE	

Procedural Matter

This application is reported to Planning Committee for decision as it has been called in for determination by Councillor Irene Mann and has met the threshold set out in the Council's constitution.

Description

Full planning permission is sought for the change of use of a residential dwelling (Class C3) to a HMO (Class C4) for 6 people at No.18 Parc Wern Road, Sketty.

Plans indicate that the existing property contains 4 bedrooms, including two in the roofspace, a lounge, dining room, kitchen, study and two bathrooms. The proposal will see the lounge and dining room converted to bedrooms and the first floor study converted to a lounge.

The site currently contains a mid-terraced split-level dwelling with a garage to the rear lower ground floor, accessed via the rear lane. No bike or bin storage is proposed.

Assessment of the immediate area

The property forms part of a long street comprised of a mixture of modestly sized and large detached, semi-detached and terraced dwellings, and a purpose built block of flats. The application property is a two storey mid-terraced dwelling with a two storey rear extension.

Planning History

There is no relevant planning history for the property.

Policy Issues

The Swansea Local Development Plan ('LDP' 2010 - 2025) was adopted 28th February 2019, the policies contained within this will therefore be used in the determination of this application. In the case of this particular proposal, the LDP contains a specific policy relating to HMO applications - H9. It is significant that this policy has been substantively re-cast from the version that was originally drafted in the Deposit Plan and subsequently adopted. This re-write of the policy followed receipt of the Ministers of the Welsh Government (through the Cabinet Secretary for Energy, Planning and Rural Affairs) letter, sent to all Local Authorities in Wales in February 2018. The Ministerial correspondence emphasised that LPAs need to 'Put in place robust local evidenced based policies in their LDP against which planning applications for HMOs can be assessed', and that 'LPAs must not delegate the criteria for decisions on planning applications to SPG'. The LDP Examination Inspectors clearly articulated to the Council, that, in order to reflect the requirements set out by the Welsh Ministers, it was necessary for Policy H 9 of the Deposit LDP to be amended such that it includes a more prescriptive definition of what constitutes 'harmful concentration/intensification', including defining the actual HMO threshold limits within the policy. The policy was amended on that basis and significant additional detail was included with it, setting out the basis upon which such applications are proposed to be considered over the Plan period. The policy has been informed by a detailed evidence review, including a comprehensive programme of stakeholder engagement, undertaken by consultants on behalf of the Council. Having regard to the evidence review and the specific circumstances that apply for Swansea, the adopted Policy H 9 states:

Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where:

- I. Within the HMO Management Area, it would not lead to more than 25% of all residential properties within a 50m radius of the proposal being HMOs;
- II. outside of the HMO Management Area, it would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;
- III. the development would not result in a Class C3 dwelling being 'sandwiched' between adjoining HMO properties;
- IV. the property is suited for use as a HMO, and will provide satisfactory private amenity space, dedicated areas for refuse storage and appropriate room sizes; and
- V. there would be no unacceptable adverse impacts caused by noise nuisance and general disturbance.

HMO proposals within small streets that do not breach the 50m radius maximum threshold will not be supported if the proposal would create a disproportionate over concentration of HMOs within that street.

HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

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Responses to Consultations

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to Nos.16 and 20 Parc Wern Road on 25th July 2019. A site notice was also posted within the vicinity of the application site on 25th July 2019.

7 letters of objection have been received, the contents of which are summarised below:

- Potential that the property would not be managed properly as the owner does not live local.
- Negative impact on social cohesion.
- Anti-social behaviour.
- Noise disturbance.
- Lack of parking.
- Rubbish and litter
- Approval would set a precedent

Two petitions of objection were received, both containing the same reasons, one containing 56 and the other containing 6 signatures. The wording of the petition is given below:

"We the undersigned object to the above planning application on the grounds that we believe that this application will lead to a loss of amenity to neighbouring residents, parking problems and an unwelcome increase in concentration of HMOs in the Uplands community. We also wish the Council to re explore the concept of a 5% cap in the area of Uplands ward outside the management zone which was rejected by all but 2 members of the planning committee on 4th July 2017. We iterate our concerns that policy H9 has just moved the HMO issue to other areas of the Uplands ward rather than solving it as promised."

HMO Licensing Team

As the proposal relates to a three storey HMO with six residents, the applicant, if successful, will need to apply for a Mandatory HMO licence.

Analysis and Recommendation

Key Issues

In view of the above mentioned policy context the key issues to consider in this planning application relate to the principle of the use of the dwellinghouse as a HMO, impact upon the residential amenities of neighbouring occupiers and future occupiers along with parking and highway safety impacts.

Principle of Use

The application property is a mid-terraced, two storey dwelling along Parc Wern Terrace which is situated in the local ward of Uplands.

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In terms of the principle of use, reference must be made to Policy H 9 of the Local Development Plan and specifically the radius approach contained within this Policy. Policy H 9 states that outside the HMO Management Area a limit of 10% of all residential properties within a 50m radius can be HMOs. Within a 50m radius of the application property there are no existing HMOs or extant planning permissions for HMO conversions. It is noted that it is possible for lawful HMO properties to be present if they were converted prior to February 2016 and may not appear either on the register or Authority planning records. However the Authority has received no information identifying unregistered HMOs and therefore has no evidence to suggest that all current lawful HMOs have not been included in the calculations.

If the proposed HMO was approved the concentration percentage would be 4.76%, within the maximum allowed limit. The proposal would therefore pass the harmful concentration/intensification test described in Policy H 9 of the LDP. There are further criteria set out in Policy H9 that need to be satisfied for the application to be considered acceptable, the property needs to be suitable for conversion, provide satisfactory amenity space, dedicated areas for refuse storage and appropriate room sizes. The proposal must also have no unacceptable adverse impacts caused by noise and general disturbance.

Visual Amenity

The application does not include any external changes and therefore it is not considered that the proposal would have any unacceptable impacts on the character of the local area.

Residential Amenity

The existing property comprises of 4 bedrooms and is split level presenting two storeys to the street and three storeys to the rear. The proposal will involve reconfiguration to allow for two additional bedrooms, increasing the total to 6 bedrooms albeit with a change in use from a dwellinghouse into a HMO.

Clearly the proposal will result in additional levels of activity in the property and the wider area, however, it cannot be regarded that this in itself would have a significant effect upon residential amenity of neighbouring occupiers. The property would no doubt attract additional visits to and from the premises being occupied by more people but it would be difficult to argue that this in itself would be harmful.

The proposal does not include any external alterations and therefore there is not considered to be any unacceptable impacts in regards to increased overbearing or overshadowing. In terms of overlooking it is noted that there is a terrace to the rear first floor level, however given that this is already in place this will not result in any increased harmful impacts.

In regard to the amenity of future occupants it is noted that the proposal would result in the removal of two internal amenity areas which are the dining room and lounge. However the proposal does include the conversion of the existing first floor study to a lounge and the retention of the kitchen area. It is noted that the attic room labelled 'bed 4' would have a smaller amount of useable area given the roof slope and is served by a roof light only, however of relevance here is that this is an existing bedroom and there are no alterations to the existing dimensions or situation.

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On balance therefore the proposed bedroom sizes are considered acceptable and the building as a whole would provide a suitable amount of shared amenity space for future occupants.

It is noted that there are no bin storage facilities provided, however there is suitable space to the rear of the garden. The provision of adequate bin storage facilities will therefore be required by condition.

Parking and Highway Safety

The Authority's Car Parking Standards advises that HMO's for up to 6 bedrooms have the same requirement for car parking spaces as C3 dwellinghouses. Individual dwellinghouses require for 1 space per bedroom up to a maximum of 3. The proposed HMO would therefore generate the same level of parking demand as the existing dwelling and there is no change proposed to the number of spaces on site. Furthermore the application site is in a fairly sustainable location in walking distance of both the Sketty and Uplands District Centre's and major bus routes.

The application does not include any provision for bike storage within the curtilage of the site. It is considered that proposals such as this should provide adequate, covered and secure bike storage facilities for individual occupants to encourage sustainable modes of transport. There is sufficient space to the rear garden to provide facilities and this will be secured by condition. Therefore the proposal is considered to have an acceptable impact on highway safety, subject to condition.

Other Planning Matters

Taking account of the scale and design of the proposed property it is not considered that the dwelling should be allowed to retain permitted development rights under Parts A, B or C. It is considered that future extensions to the property should be controlled to ensure that they do not result in undue harm to visual or residential amenities.

Response to Objectors

The objections in regard to social cohesion, anti-social behaviour, noise disturbance, neighbouring amenity and parking have been addressed above. In regard to increased rubbish and litter within the local area, there is no evidence here to suggest that occupants of the proposed HMO would cause a greater amount than that of other residents. Furthermore the application will be conditioned to provide adequate bin storage facilities. There is no evidence to suggest that the landlord will not properly manage the property and in any event this is not a material planning consideration. It is not considered that approval of this application would result in a precedent and any future HMO applications to neighbouring properties would need to comply with relevant LDP Policies including the percentage concentrations in Policy H9.

In regard to the petition request that the 10% concentration as set out in Policy H9 be reduced to 5%, this is not considered to be a material consideration in the determination of this application. The LDP is an up-to-date plan, being newly-adopted and having only relatively recently been subject to independent scrutiny via the LDP examination process and found to be soundly-based and consistent with national planning policy principles.

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It is evident to note that policy H 9 including the set threshold and the evidence base supporting it was the subject of detailed scrutiny, and that the policy was the subject of such refinement as was found necessary to ensure its soundness, as part of the examination process. In any event it is pointed out that that approval of this application would result in less than 5% concentration in the defined radius.

Conclusions

It can be concluded here that the proposal represents an acceptable form of development. The principle of providing a HMO in this location is acceptable, the proposed change of use will provide acceptable living conditions for the future occupiers and an acceptable impact on highway safety, subject to conditions. Therefore it is considered that the development is compliant with the requirements of Policies PS2, H9 and T6 of the Swansea Local Development Plan and advice provided within the Places to Live Residential Design Guide SPG (2014) and Parking Standards SPG (2012).

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle under Part 2 Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principles through its contribution towards one or more of the public bodies well-being objectives set out as required by Part 2 Section 9 of the WBFG Act.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The development shall be carried out in accordance with the following approved plans and documents: Site location plan, block plan, proposed layout, garage existing/proposed, top floor existing and proposed received on 18th July 2019.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 Details of facilities for the secure and undercover storage of six cycles and storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained for the approved use and not used for any other purpose.
Reason: In the interests of providing facilities for sustainable transport and general amenity.

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Application Number:

2019/1683/FUL

- 4 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extensions shall be erected to the property without the benefit of planning permission.
Reason: To protect the amenities of neighbouring properties and the visual amenity of the approved dwelling.

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application Policies PS2, H9 and T6
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
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Planning Committee – 1st October 2019

Item 3

Application Number:

2019/1729/RES

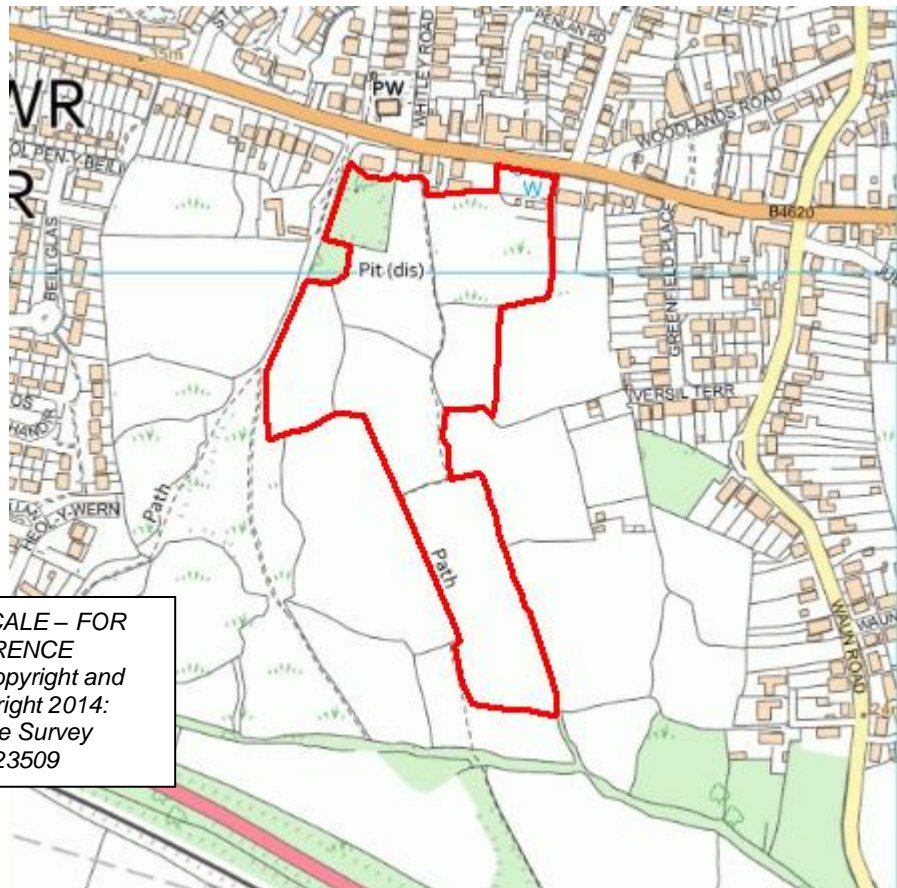
Ward:

Upper Loughor - Area 2

Location: Land South Of Glebe Road, Loughor, Swansea, SA4 6SR

Proposal: Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space

Applicant: Mr Cai Parry Barratt David Wilson Homes South Wales Ltd



Background Information

Policies

LDP - PS2 - Placemaking and Place Management

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:	2019/1729/RES	
Site History App Number	Proposal	Status	Decision Date
2017/0934/DOC	Discharge of condition 4 of Planning Permission 2015/1934 granted 13th November 2015	APP	20.06.2017
2017/0938/DOC	Discharge of condition 4 of Planning Permission 2015/1934 granted 13th November 2015	WDN	02.05.2017
2017/1002/FUL	Retention and completion of two storey side/rear extension with rear balcony and replacement side/rear conservatory	APP	20.09.2017
2018/0930/RES	Reserved Matters - details of the access - pursuant to outline planning permission 2013/0617 granted 30th October 2017 for Residential development comprising of up to 92 dwellings with associated access, drainage and public open space.	APP	05.09.2018
2018/1537/RES	Residential development comprising of up to 92 dwellings with associated access, drainage and public open space (Details of access, appearance, landscaping, layout and scale) pursuant to Planning Permission 2013/0617 granted 30th October 2017.	APP	06.12.2018
2018/1571/DOC	Discharge of conditions 5 (Japanese Knotweed), 11 (Construction Pollution Management Plan), 14 (Retention and Protection of Trees), 15 (tree protection) 19 (Maintenance of the Surface Water System), 24 (Levels) and 26 (Future Management and Maintenance of the Proposed Streets) of planning permission 2013/0617 granted 30th October 2017	APP	21.05.2019

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:		2019/1729/RES
2018/2278/FUL	Incorporation of land into residential curtilage and retention and completion of single storey rear extension to form a plant room, removal of railings and increase in height of enclosure around existing rear balcony and addition of second floor window to West elevation and rear boundary wall	APP	28.12.2018
2018/2285/DOC	Discharge of condition 18 (drainage) of Planning Permission 2013/0617 granted 30th October 2018	APP	19.03.2019
2018/2599/DOC	Discharge of conditions 6 (land contamination) and 13 (intrusive investigation) of Planning Permission 2013/0617 granted 30th October 2017	APP	16.09.2019
2019/0173/FUL	Erection of electrical substation associated with residential development approved via reserved matters approval ref: 2018/1537/RES	APP	01.05.2019
2019/1173/NMA	Non-Material Amendment to Planning Permission 2018/1537/RES granted 6th December 2018 to use Ibstock Atlas Smooth Red bricks in lieu of the previously approved bricks	APP	21.06.2019
2019/1729/RES	Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space	PDE	
2016/1644	Non-Material Amendment to Planning Permission 2015/1934 granted 13th November 2015 to square of the sun lounge and replace the roof with a pitched roof	APP	06.09.2016
2015/1934	Two storey side extension and rear conservatory	APP	13.11.2015

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:		2019/1729/RES
2015/0088	Two storey side extension and single storey rear extension	REF	16.03.2015
2014/1506	Two storey side extension and single storey rear extension	REF	08.12.2014

RESPONSE TO CONSULTATIONS

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to adjacent neighbours on 14th August 2019, and the application was advertised on site.

No responses have been received.

Placemaking and Heritage Officer Observations

The above Reserved Matters application seeks approval for the appearance of the dwellings on the approved residential development at this site. A previous Reserved Matters application was submitted and approved for 'Appearance' on this scheme under application ref: 2018/1537/RES.

This application seeks some minor amendments to this approved Reserved Matters application to change several of the roofs of the proposed house from gabled to hipped.

All of the proposed dwellings on the site are to be finished in red brick with matching slate coloured roofs and as such there is a strong sense of unity through the materiality of the dwellings as well as the inclusion of gable features to a number of these. The proposals to alter some of the house type roof forms from gabled to hipped is considered acceptable, to introduce some appropriate variety into the scheme and this approach would also reflect the variety found in the wider established area.

APPRAISAL

The application seeks approval for one of the 'reserved matters' (appearance) relating to Outline Planning Permission 2013/0617, granted on the 30th October 2017 for 92 dwellings.

The 'appearance' reserved matter has previously been approved under application 2018/1537/RES on 6th December 2018. This application seeks some minor amendments to this approved Reserved Matters application to change several of the roofs of the houses from gabled to hipped.

This reserved matters application is being reported to Committee for determination as it relates to a development of 92 dwellings.

The site is located centrally within the urban settlement of Loughor and will be accessed via one vehicle access point from Glebe Road. The northern site boundary backs onto houses and a petrol station, the western boundary is heavily wooded and runs along a public footpath, the eastern boundary abuts an area of open land and the southern boundary adjoins an area of green wedge.

Item 3 (Cont'd)

Application Number:

2019/1729/RES

The application site extends to five fields, four of which benefit from a land allocation for housing development, the fifth is not allocated and lies within the adjoining green wedge and will be used to provide an attenuation pond and wetland habitat for the development.

Moriah Chapel, the adjacent School building and the railings, are all Grade II listed with separate records (LB 479/479/480) and face Glebe Road directly opposite the site. They are constructed of local pennant stone with slate roofs and are largely unaltered and provide a heritage anchor to an area otherwise lacking in features of interest. Much of the significance of these buildings lies in the connection to Evan Roberts and the Welsh Revival in the early 1900's, and for this reason the Chapel attracts many visitors.

The 3.81 hectare site is irregular in shape and falls steadily downwards in a southerly direction providing vistas out from the site to the hillsides on the opposite side of the estuary. As the land slopes down from Loughor, it meets the railway line and A484 bypass at the bottom of the valley where the Afon Lliw River flows out to the Loughor Estuary to the west.

The patchwork of fields which make up the site is defined by well-established trees and hedgerows which are in themselves a significant constraint. A group Tree Preservation Order has been placed on a number of hedgerows and trees that cross the site.

A former mine shaft sits in the North West corner of the site and no development is intended within this area.

The site is allocated as a housing site under Policy H 1 (32) of the Swansea Local Development Plan 2019 (LDP).

Main Issues

The main issue for consideration with regard to this application relate to the acceptability of the proposed changes to the appearance of the dwelling houses with regard to the visual amenity of the area having regard to the provisions of Policy PS 2 of the Local Development Plan 2019 and the Council's Places to Live: Residential Design Guide. There are no overriding issues for considerations under the provisions of the Human Rights Act.

Visual Amenity

A reserved matters application (2018/1537/RES) was approved on the 6th December 2018 for the 92 dwellings to be constructed on the site.

This application seeks to change several of the previously approved houses so that they feature a hipped roof instead of a gabled roof. This change relates to 52 of the dwellings. Some other very minor amendments are also sought which relate to changes to window detailing and door surrounds.

All of the proposed dwellings on the site are to be finished in red brick with matching slate coloured roofs and as such, there is a strong sense of unity through the materiality of the dwellings as well as the inclusion of gable features to a number of the dwellings.

Item 3 (Cont'd)

Application Number:

2019/1729/RES

The proposals for consideration under this application proposed to alter a number of the roof forms from pitched roofs to hipped roofs.

The application is considered to be acceptable as it will introduce visual variety into the development, and this approach would also reflect the variety of roof types found in the wider established area of Loughor.

The proposal is therefore considered to represent a satisfactory form of development in terms of its impacts upon the character and appearance of the area, and the design of the development would create a good quality and distinctive streetscape and would accord with the provisions of Policy PS 2 of the Local Development Plan Policies and the Places to Live: Residential Design Guide.

Residential Amenity

The proposed changes from gabled roofs to hipped roofs on a number of the dwellings are not considered to have an unacceptable impact upon the residential amenity of the existing and future occupiers of the area. As such, the application is considered to be acceptable in this regard.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the proposed revised details are considered to be acceptable and comply with Policy PS 2 of the Local Development Plan 2019 and the Places to Live: Residential Design Guide.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

RECOMMENDATION:

APPROVE subject to the following condition;

1 The development shall be carried out in accordance with the following approved plans and documents:

P18-0751 04-7	SITE LAYOUT
P18-0751 06-6	MATERIALS
P18-0751 13-6	INDICATIVE STREET SCENES
P18-0751 3.1 REV 6	HEMSWORTH (AS) - 1152 SQFT
P18-0751 3.2 REV 6	HEMSWORTH (OPP) - 1152 SQFT
P18-0751 3.3 REV 6	ALDERNEY (AS) - 1225 SQFT
P18-0751 3.4 REV 6	ALDERNEY (OPP) - 1225 SQFT

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Item 3 (Cont'd)

Application Number:

2019/1729/RES

P18-0751 3.5 REV 6	MAIDSTONE (AS) - 830 SQFT
P18-0751 3.6 REV 6	MAIDSTONE (OPP) - 830 SQFT
P18-0751 3.7 REV 6	MAIDSTONE (AS) - 830 SQFT
P18-0751 3.8 REV 6	MAIDSTONE (OPP) - 830 SQFT
P18-0751 3.9 REV 6	RADLEIGH (AS) - 1317 SQFT
P18-0751 3.10 REV 6	RADLEIGH (OPP) - 1317 SQFT
P18-0751 3.11 REV 6	ANDOVER (AS) - 998 SQFT
P18-0751 3.12 REV 6	ANDOVER (OPP) - 998 SQFT
P18-0751 3.13 REV 6	THORNTON (AS) - 1200 SQFT
P18-0751 3.14 REV 6	THORNTON (OPP) - 1200 SQFT
P18-0751 3.15 REV 6	MORESBY (AS) - 854 SQFT
P18-0751 3.16 REV 6	MORESBY (OPP) - 854 SQFT
P18-0751 3.17 REV 6	MORESBY (AS) - 854 SQFT
P18-0751 3.18 REV 6	MORESBY (OPP) - 854 SQFT
P18-0751 3.19 REV 6	CHESTER (AS) - 1032 SQFT
P18-0751 3.20 REV 6	CHESTER (OPP) - 1032 SQFT
P18-0751 3.21 REV 6	BUCHANON (AS) - 875 SQFT
P18-0751 3.22 REV 6	LARCH (AS) - 980 SQFT
P18-0751 3.23 REV 6	LARCH (OPP) - 980 SQFT
P18-0751 3.24 REV 6	OLIVE (AS) - 870 SQFT
P18-0751 3.25 REV 6	OLIVE (OPP) - 870 SQFT
P18-0751 3.26 REV 6	BEECH (AS) - 980 SQFT
P18-0751 3.27 REV 6	GARAGES

Received on the 8th August 2019

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS 2.
 - 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
 - 3 You are advised to comply with the conditions in outline planning permission 2013/0617 granted on the 30th October 2017.
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