

Number: 8



Rhif y Cais / Application Number : C16/0518/11/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.



PLANNING COMMITTEE	DATE: 25/07/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

Application Number: C16/0518/11/LL
Date Registered: 11/05/2016
Application Type: Full - Planning
Community: Bangor
Ward: Garth

Proposal: CHANGE OF USE OF DWELLING TO A HOUSE IN MULTIPLE OCCUPATION (HMO)
FOR UP TO 5 PEOPLE
Location: 56, UPPER GARTH ROAD, BANGOR, LL572SS

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

1. Description:

- 1.1 This is a full application to change the use of an existing dwelling (use class C3) to a house in multiple occupation (use class C4) for up to 5 people.
- 1.2 The property is a semi-detached house and is located on Upper Garth Road, Bangor in an area which is mainly residential. The house is a two-storey dwelling with a small curtilage at the front and a slightly bigger garden at the rear. No changes are proposed for the existing parking arrangements. The proposal does not include any external alterations to the building.
- 1.3 The current legal use of the property is as a private residential dwelling and it consists of 5 bedrooms on the first floor. There is a proposal to retain the bedrooms as they are, and the only internal alterations would be to re-arrange the kitchen / bathroom facilities on the ground floor.
- 1.4 This application is submitted to the Committee at the local member's request.
- 1.5 For clarification, recent amendments were introduced to the Town and Country Planning Order (Use Classes) 1987 (as amended) which submit a new use class, C4, namely Houses in Multiple Occupation (3-6 people). Briefly, class C4 means houses or flats that are shared between three and six individuals with no connection or relationship with each other, who share basic amenities. Unlike large houses in multiple occupation (more than 6 people), planning permission is not required to change the use of houses in multiple occupation that are in use C4 back to usual dwelling houses (use class C3). One practical impact from this change is the creation of consistency between the planning systems and licensing system so that a planning permission is required for any new property that applies for a HMO licence (there has been a degree of ambiguity in the past whether or not permission was required for small houses in multiple occupation).

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but must also take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable

PLANNING COMMITTEE	DATE: 25/07/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed decision.

2.3 Gwynedd Unitary Development Plan 2009:

POLICY B23 - AMENITIES - Safeguard the amenities of the local neighbourhood by ensuring that proposals must conform to a series of criteria aimed at safeguarding the recognised features and amenities of the local area.

POLICY CH14 – CONVERSION OF DWELLINGS INTO FLATS, BED-SITS OR MULTI-OCCUPANCY DWELLINGS

Approve the change of use of dwellings/residential buildings into flats, bed-sits or multiple occupation dwellings provided it has no negative impact on the social and environmental character of the area.

POLICY CH36 – PRIVATE CAR PARKING FACILITIES - Proposals for new developments, extension of existing developments or change of use will be refused unless off-street parking is provided in accordance with the Council's current parking guidelines and having given due consideration to the accessibility of public transport, the possibility of walking or cycling from the site and the distance from the site to a public car park.

2.4 National Policies:

Planning Policy Wales : Edition 8, January 2016

3. Relevant Planning History: - None

4. Consultations:

Community/Town Council: Not received

Transportation Unit: The proposed development would not have a detrimental impact on any road or proposed road.

Public Protection: Not received

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has ended and correspondence was received objecting on the following valid planning reasons:

- There is a lack of information about parking in the application.
- Concern that parking problems already exist on this street.
- There is an over-provision of houses in multiple occupation in Garth ward.
- The development will be damaging to the amenities of neighbours.

PLANNING COMMITTEE	DATE: 25/07/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

In addition, the following observations were received; these are not current valid planning considerations:

- Many empty spaces in other houses in multiple occupation are already being wasted in Bangor.
- Fewer taxes are being collected from student accommodation.
- The “The National HMO Lobby” network suggests that a concentration of more than 10% of multiple occupation residential units in an area is damaging to the nature of the community.
- Concentration of "HMO" accommodation in the Garth ward is already higher than the 10% threshold set in the Joint Local Development Plan.
- Letting the house for rent to a local family should be considered.

5. Assessment of the material planning considerations:

5.1 The principle of the development

5.1.1 Policy CH14 of the Gwynedd Unitary Development Plan involves the conversion of houses or other residential buildings into flats, bed-sits or houses in multiple occupation, which is supported on condition that the development does not create an over-provision of this type of accommodation in a specific street or area where the cumulative effect would have a negative impact on the social and environmental character of the street or area, or likely to do so.

5.1.2 In this case, the site is within the Garth ward and evidence gathered as background information for the Joint Local Development Plan, namely Topic Paper 16: Student Accommodation, shows that 42 of the 326 residential units in the ward are multiple occupation units, namely an average of 12.9%. By examining the situation in this specific part of Upper Garth Road, namely the terrace of houses where the application site and the houses opposite are located, two of the 22 houses that are in this part of the street are currently houses in multiple occupation, which is 9.1%. After the development (should it be approved) 13.6% of these living units would be multiple occupation units.

5.1.3 Policy CH14 of the UDP does not set any specific level of what is over-provision in an area, although it notes that the cumulative impact of such developments should not have a negative impact on the social and environmental character of the street or area.

5.1.4 Bearing in mind that this is a five-bedroom house which could currently be used by five (or more) adults within the same family, it is not considered that the proposed change will be significant in terms of changing the density of the site's use. While acknowledging that it is not possible to control who would live in the property, there is a possibility that the property will be student accommodation and it is recognised that the lifestyle of students is different to that of a normal family and over-provision of such accommodation could cause problems to the amenities of the neighbourhood. Having said that, in terms of this specific site, the house next door, number 54, is a house in multiple occupation and therefore, it is not considered that there will be significant harm to the amenities of the said property in terms of general noise and disturbance. In terms of transport and parking, whilst acknowledging that there is a possibility for residents to bring private vehicles to the site, the property is very accessible to the facilities of the University and the city centre and is very suitable for those without personal cars.

PLANNING COMMITTEE	DATE: 25/07/2016
REPORT OF THE SENIOR PLANNING AND ENVIRONMENT SERVICE MANAGER	CAERNARFON

5.1.5 By taking into account the current legal use of the property and the impacts on amenities that could derive from that use, it is not considered that there will be a significant change to the amenities of the neighbourhood by approving the development in question. Neither is it considered that approving one additional multiple occupation unit in the area would have an additional significant harmful impact on the social character of the local area.

5.1.6 Given the above, it is believed that the proposal is acceptable under policy CH14 of the Gwynedd Unitary Development Plan and that the development would not lead to an over-provision of such accommodation in the neighbourhood. Therefore, it is considered that the development is acceptable in principle.

5.2 General and residential amenities

5.2.1 Taking into account the above discussion, it is not considered that the impact of the development on amenities will be significantly different to what could occur under the current legal use and therefore, it is not considered that approving one additional multiple occupation unit in the area would have an additional significant harmful impact on the general or residential amenities of the local area. Consequently, it is considered that the development is consistent with policy B23 of the Gwynedd Unitary Development Plan which involves protecting amenities.

5.3 Transport and access matters

5.3.1 Policy CH36 of the Gwynedd Unitary Development Plan involves private car parking facilities. No new private parking provision is part of the proposal before the committee; however, as there would not be an increase in the site's usage density, no significant change is anticipated in terms of the demand for parking and transport problems. The property is located within walking distance of the University and the city centre and is therefore a good location to use alternative modes of transport. The Transportation Unit has not raised any objection to the proposal and therefore it is considered that it is not contrary to Policy CH36.

5.4 Response to the public consultation

5.4.1 A number of observations were received regarding this application with the main relevant concerns involved with parking and impacts on amenities. It is considered that the above discussion has appropriately addressed these matters. Other points were made regarding the contents of the Joint Local Development Plan but, as this is not an adopted document, only minimal weight can currently be given to its policies. Similarly, statements from private organisations are not valid planning policy guidance.

5.4.2 Full consideration has been given to all other matters raised during the consultation period, but this has not changed the recommendation.

6. Conclusions:

6.1 Given the above and having considered all the relevant matters including local and national policies and guidelines and the responses to the public consultation, it is considered that this application to change the use of the building as described is acceptable and satisfies the requirements of the policies as noted above.

7. Recommendation:

7.1 To approve subject to conditions:

1. 5 years
2. In accordance with the plans