

28 April 2020  
Our Ref: 20.181

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Ceredigion  
SA46 0PA

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220 High Street  
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Dear Sir/Madam,

**ABERYSTWYTH – 1 & 2, YR HEN YSGOLDY, LLYS HENDRE  
CHANGE OF USE OF PROPERTIES TO 2NO 4 BEDROOM HMO'S (CLASS C4 USE)  
PLANNING PORTAL REF- PP-08679235**

Asbri Planning Limited is instructed by Derek Ford in respect of 1 & 2, Yr Hen Ysgoldy, Llys Hendre. On behalf of our client, I herein submit an application seeking the change of use of the properties to enable them to be used at 2no 4 bedroom HMO's (Class C4 use).

The application package comprises the following:

- Completed Application Forms
- T1008-C09 General Arrangement
- T1008.P02 Proposed Site-Roof-Block Plans (As per 2016 consent)
- T1008.P01 Proposed Scheme Drawings (As per 2016 consent)
- T1008.OS01 Ordnance Survey Location Plan
- Cheque to the sum of £380

**Site and Surrounding Area**

The application site comprises 1 & 2, Yr Hen Ysgoldy, Llys Hendre, Aberystwyth. The site is located to the east of the centre and in close proximity to the University.

The properties have been developed in accordance with their 2016 approval which allowed for the development of the site for 2no semi detached dwellings (LPA Ref-A160177).

They benefit from 2no vehicular parking spaces each (4no in total). The site is located within a highly accessible and therefore sustainable location. Bus stops are located some 150 meters to the south of it providing the following services:

- Service 301
- Service X28
- Service YP38
- Service YP39

The surrounding area is typical of an area dominated by residential uses. Notwithstanding, it is in close proximity to a CK's foodstore, Post Office and take away food stores.

**Proposed Development**

Planning permission was granted on the application site on 23 November 2016 (LPA Ref A160177) allowing for:

*Erection of two semi-detached dwellings*

It is understood that works have been completed on the properties.

To that end, it is proposed to change the use of both properties to 4no bedroom HMO's (Class C4 use). The proposed layout of both dwellings is shown on the drawings which support the application.

Vehicular parking is to continue with 2no spaces each (4no in total) which are provided to the rear of the properties. In addition, 2 visitor spaces will be provided to the rear of the turning head taking the total provision to 3no spaces for each property.

In order to provide clarity, this application relates to the use of the building only – external alterations are not proposed other than the introduction of 2no additional parking spaces. In accordance with the above, it is considered that the change of use of the properties to HMO's will ensure their positive occupation as part of a beneficial use going forward.

## **Planning Policy**

### Planning Policy Wales

PPW Edition 10 was published in December 2018. It states that the Welsh Government remains one of the few administrations in the world to have a distinctive statutory duty in relation to sustainable development. The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies that they must carry out sustainable development. The Well-being Goals include:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales a cohesive communities;
- A Wales of vibrant culture and thriving Welsh Language; and
- A globally responsible Wales.

Key issues in respect of housing identified by the document include:

- *Ensuring there is sufficient housing land available to meet the need for new private market and affordable housing;*
- *Facilitating a range and choice of housing to respond to the change in household need, such as the predicted increase in single person households over the next 20 years;*
- *Assisting in the delivery of cohesive communities which will meet the needs and are accessible to all members of society, including older people;*
- *Tackling inequalities between communities, delivering services and jobs closer to where people live and acknowledging the importance of inclusive communities and the wider environment for good health and well-being;*

Paragraph 4.2.2 relates to housing. It states:

*The planning system must:*

- *Identify a supply of land to support the delivery of the housing requirement to meet the differing needs of communities across all tenures;*
- *Enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places; and*

- *Focus on the delivery of the identified housing requirement and the related land supply*

#### Ceredigion Local Development Plan

The development plan for the purposes of Section 38 of the Planning and Compensation Act (2004) is the Ceredigion Local Development Plan (Adopted 2007).

The below extract from the Proposals Map highlights that the site is unallocated white land:



In respect of the determination of the application, it is noteworthy that the document was Adopted circa 9 years prior to the introduction of Class C4 into the Use Classes Order. Therefore, it cannot be said that there are policies which directly relate to proposals for Class C4 uses.

Notwithstanding, Policy LU07 at least refers to HMO's (at the time shared housing of 7 bedrooms and above (Sui Generis use)) given the date of Adoption of the document. The policy states:

*The conversion of large residential units to flats will be permitted provided that:*

- 1. The dwelling is of a suitable size and layout capable of conversion without substantial extension;*
- 2. The development does not adversely affect the amenity of the adjoining occupants and includes adequate soundproofing between units;*
- 3. The development does not result in significant parking problems;*
- 4. There is adequate provision for the storage of refuse; and*
- 5. Provision of 3 and 4 bedroom apartments is included as part of the mix, where there is evidence of unmet local need for larger flats and the property has appropriate physical capacity.*

*Conversion of residential units to HMOs, that require planning permission, will not be permitted.*

#### **Planning Considerations**

It is clear that in assessing the merits of the application, there is not a policy which directly relates to Class C4 of the Use Classes Order. Notwithstanding, the following set the context for the assessment.

- The application site is within a highly accessible and therefore sustainable location for the proposed use via a range of transportation options.
- Vehicular parking is to be provided within the site for both dwellings at 3no spaces per dwelling
- Cycle parking is proposed in the form of eight spaces to be included in the rear gardens.
- Refuse and storage facilities are to be provided within the properties.

An assessment is provided below based on our extensive experience of promoting HMO's throughout Wales:

Would the proposal result in a significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance?

The properties benefit for a consent allowing for a general residential use. This application proposes an alteration in the type of accommodation in the form of 2no HMO's providing 4 bedrooms each (Class C4 use). The proposed HMO's will provide accommodation for which there is an identified need in the area.

Indeed, as acknowledged in recent HMO Appeal decisions, there is no empirical evidence that HMO uses can have a larger impact than a more generalised C3 use in respect of the relevant criteria.

In accordance with the above, it is considered that the proposed use of the application units as 2no 4 bedroom HMO's, would ensure the occupation of the properties and would provide a complimentary use within the surrounding area.

Would the development contribute to a harmful concentration or intensification of HMOs in a particular area?

In the absence of a specific, adopted SPG relating to HMO properties at a local level, setting out a percentage or other similar calculation-based approach, it is difficult to determine what number of HMOs in an area would constitute a 'harmful concentration'.

Notwithstanding, the Council's HMO register provides evidence of a lack of HMO's in the vicinity of the application site (see below):



Given the above, it is clear that the change use of the subject properties to a C4 use as HMO's will not result in an over intensification of HMO's in the area surrounding the application properties.

There would be no significant adverse effect on local car parking and highway safety

The site is located within a highly accessible and therefore sustainable location. Bus stops are located some 150 meters to the south of it providing the following services:

- Service 301
- Service X28
- Service YP38
- Service YP39

The properties benefit from 2no vehicular parking spaces each. An additional space will be introduced for both properties (i.e. a total of 3 spaces each). In addition it is proposed to include cycle parking spaces on a 1:1 basis (i.e. 4 stands for each property) in order to promote sustainable travel to future residents.

It is clear that proposal will not result in an unacceptable impact on car parking in the locality. Indeed, given the fallback position, a large family could occupy the houses with a requirement of 4-5 vehicles.

In accordance with the above, it is concluded that there will be no adverse effect of local car parking or highways safety.

Appropriate refuse storage arrangements can be provided

Refuse storage arrangement will be provided within the properties. Further to this, semi-detached units are set within grounds that could comfortably allow for the storage of waste outside of the property.

