

**Application Number:** DM/2019/00595

**Proposal:** Change of use from a C3 dwelling house to C4 house in multiple occupation

**Address:** 62 Chepstow Road, Caldicot, NP26 4HZ

**Applicant:** Mr. John Frost

**Plans:** Location Plan - , Floor Plans - Existing (00) 01 - , Floor Plans - Existing (00) 02 - , Location Plan 3826\_PA\_002 - , Block Plan 3826\_PA\_002 - ,

**RECOMMENDATION: Approve**

Case Officer: Ms. Kate Young  
Date Valid: 05.06.2019

**This application is presented to Planning Committee because it is a proposal that involves the Council's Housing team and because of the large number of objections received**

**1.0 APPLICATION DETAILS**

1.1 62 Chepstow Road is a six bedroom, two-storey, detached property located within the Caldicot Development Boundary as referred to in Policy S1 of the Local Development Plan (LDP). It is accessed off a long driveway that runs between no. 64 and 62A Chepstow Road, it is set back from the road behind no. 64. There are residential properties on three sides of it and to the south are playing fields. The application seeks a change of use to a house in multiple occupation. The residents of the property will share the communal living room and kitchen and have separate private bedrooms. There are three, off road car parking spaces to the front of the property. There will be no extensions to the property.

**2.0 RELEVANT PLANNING HISTORY (if any)**

<b>Reference Number</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
DM/2019/00595	Change of use from a C3 dwelling house to C4 house in multiple occupation.	Pending Determination	

**3.0 LOCAL DEVELOPMENT PLAN POLICIES**

**Strategic Policies**

S1 LDP The Spatial Distribution of New Housing Provision  
S13 LDP Landscape, Green Infrastructure and the Natural Environment  
S16 LDP Transport  
S17 LDP Place Making and Design

**Development Management Policies**

H9 LDP Flat Conversions  
DES1 LDP General Design Considerations  
EP1 LDP Amenity and Environmental Protection  
MV1 LDP Proposed Developments and Highway Considerations

## **4.0 NATIONAL PLANNING POLICY**

### **Planning Policy Wales (PPW) Edition 10**

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well being, creating prosperity for all.

## **5.0 REPRESENTATIONS**

### 5.1 Consultation Replies

**Caldicot Town Council** – Recommends refusal.

Lack of public consultation

Lack of consultation with the Local Education Authority and Police

Anti-Social behaviour concerns

Young and vulnerable persons living close by.

**MCC Highways** - No objection.

Following receipt of additional information from the applicant regarding intended occupancy and staff visiting, the applicant states that the property will provide emergency accommodation for families such as single men or women with children or couples with children. Staff will visit once a week. Therefore, the level of car parking provided within the curtilage of the dwelling is deemed adequate for the intended use and the expected vehicle movements are considered to be minimal and not detrimental to the safe use of the existing means of access. It should also be noted that staff and visitors have the benefit of layby parking in close proximity to the proposal on the opposite side of Chepstow Road as well as the free public car park located at Jubilee Way.

The highway authority offer no objections to the proposed change of use

**MCC Environmental Health** - No objections to the above proposed change of use from Environmental Health section.

**MCC Housing** - The said property has been purchased by Monmouthshire Housing Association to support the Council to meet its responsibilities under the Housing (Wales) Act 2014 and to help the Council increase accommodation options for the residents of Monmouthshire.

In this context there is currently, for all household groups and including families with children, a shortage of social housing in the County, it can be challenging for households to access private sector accommodation and there is a lack of temporary accommodation.

The Council is working with Monmouthshire Housing Association to increase accommodation options in Monmouthshire. One such case is MHA's purchase of 62 Chepstow Road for use by the Council

A key issue is the Council's ability to provide accommodation for families who may experience the risk of or actual homelessness. As a result and to meet our responsibilities it's not uncommon for us to need to re-house families away from their home areas which can displace families away from support networks such as family, friends, medical facilities and can be disruptive to children attending school.

There can be a need to use B & B (outside of the County). On occasions and in order to assist some families we may need to ask families to move to another town including Caldicot and Chepstow families possibly needing to move to Monmouth to shared family accommodation; or B & B (we don't currently have any in Monmouthshire) or a vacant Monmouthshire Lettings property in any of the 4 towns.

In this regard we have been trying to encourage private landlords to work with us (under the banner of Monmouthshire Lettings). Plus we ask the housing associations to assist us. And MHA agreed to help us with helping with family accommodation.

Therefore, 62 Chepstow Road will be used for shared family accommodation and will be managed directly by the accommodation staff in the Housing Options Team under the supervision of our Private Sector Liaison Officer. We expect that the majority of the families accommodated will be Caldicot and Chepstow families.

Accommodation staff (it will be the responsibility of one of the team) will routinely visit the property on a regular basis. In the event of any problems we will attend in response. There is a member of accommodation staff on duty during office hours and there is a homeless officer on duty outside of office hours (which we share with Torfaen and Blaenau Gwent).

All households that we accommodate will all be 'risk assessed' prior to being offered a accommodation which will help to inform our decision making about suitability.

We are having CCTV installed.

There will be no single people placed here. This will be used as family only accommodation.

And to complement our management, all households here will be expected to engage with housing support. Depending on a family's circumstances, housing support involvement can be varied in terms of regularity of contact and length of involvement.

## 5.2 Neighbour Notification

78 Letters of objection have been received

Close to adjoining properties

Conflict with local plan

Development too high

General dislike of proposal

Inadequate access

Loss of privacy

Noise nuisance

Not enough information given on application

Out of keeping with character of area

Over development

Inadequate parking

Adjacent to a school site

Children in adjacent properties on a regular basis

As the offenders will be from outside the area how long will it take other Authorities to respond to removal of offenders causing problems?

Residents were not fully informed by the Council, and it would appear neither were the Town Council

Data obtained from CCTV will be an infringement of human rights, where will information be stored?

Loss of amenity to neighbouring properties by this proposed use.

It is foreseeable the persons to be accommodated would pose a risk.

Some adults in adjoining property are disabled and are deemed vulnerable

The privacy, quality of life in this residential area will be severely affected

Overlooks public facilities such as a skate park, school running track and sports field, a well thought of 4G football pitch/training area used by adults and children alike, tennis courts the leisure centre and incredibly a school attended by in excess of 1200 children

Access to this property has been altered by the previous owner in the removal an existing visibility splay

The work is retrospective

The discovery and subsequent removal of asbestos

No consultation with Neighbours

Loss of security

Impact on health and wellbeing of neighbours

Anti-social Behaviour

A building with offenders is bad enough but to allow it to be in such close proximity to a school is a no go. It is a huge worry to parents.

There will be an increase in the cost of both home and car insurance and it will also be detrimental to the value of our homes

Caldicot is a small town and this proposal is totally out of keeping with the area.

While I appreciate people on licence have to be accommodated somewhere this is definitely not the right place.

Caldicot has rising crime and no police station that is manned

A halfway house should not be near schools as there is a serious conflict of interest

A terrible idea to put offenders anywhere near a high school

Strange how you can have a halfway house for ex-prisoners but not for people with mental issues.

Extremely concerned about the lack of communication with residents and the security of those that live nearby including elderly residents and children. Security cameras and gates would confirm those fears. It will also affect the quality of life for those living nearby who may live in constant fear with the house overlooking several properties.

Why does MHA believe this site is worth the investment already committed to the property if it has not got the correct planning consent

When did my local ward councillor know what was going in the last 6 months at the secret development? No notices given at all.

I wish for you to consider just how many people you would be putting in a position of feeling insecure and adding more unnecessary stress on their health and well-being

Anxiety and stress to elderly neighbours.

Disruption over the last few months due to building work that has already taken place including removal of asbestos. My young children were playing in their garden at this time and I have concerns for their future health let alone them being sick around this time which could now be linked.

Possibility of anti-social behaviour with the increased noise pollution caused by the number of occupants.

Who will compensate us for the security systems we will have to install to help keep us safe.

How many C4 uses are located near any local councillors?

## **6.1 EVALUATION**

### **6.2 Strategic & Spatial Choices**

#### 6.2.1 Strategic Planning/ Development Plan context/ Principle of Development

This is an existing residential property within the Caldicot Development boundary. The principle of residential use is already established. There has recently been a change in legislation in Wales so that now a change of use to a House of Multiple Occupation (HMO) requires planning permission. MCC has no specific policies relating to HMO's but Policy H9 Flat Conversion could be used as a guiding principle. Policy H9 of the LDP states that the conversion of properties into flats within town development boundaries will be permitted provided that the development does not adversely affect the particular qualities of the street. In this case there are no external physical alterations to the property and it will have no impact on the street scene. The works to replace the roof tiles and internal refurbishment would not require the benefit of planning permission. The site is not in a conservation area or any other special designation. 62 Chepstow Road is a modern spacious property which has a large area for off street parking to the front and a small garden to the rear, there is sufficient amenity space. The proposal therefore accords with the objectives of Policy H9 of the LDP.

There is currently a shortage of social housing in the County. Therefore, 62 Chepstow Road will be used for shared family accommodation and will be managed directly by the accommodation staff in the Housing Options Team. It is expected that the majority of the families accommodated, will be from the Caldicot and Chepstow Area. One advantage of being able to re-house families in the local area is that there is less disruption for the children and often they will not have to change school. Housing the families locally also means that they are close to support networks such as family, friends and medical facilities. There will be no single people housed at this property. All households that are accommodated here will all be 'risk assessed' prior to being offered accommodation which will help to inform decision making about suitability. The property will be used by the Council's Housing Options Team to help the Council meet its statutory duty under the Housing (Wales) Act 2014, to prevent homelessness. The property will be monitored by CCTV and will be managed directly by the Council's Housing Options Team accommodation staff, with weekly visits. Visits can be more often if required.

The principle of the property being used as a HMO is considered to be acceptable. The dwelling would continue to be used for residential purposes and this type of residential use is appropriate within this area and within the Caldicot Development Boundary.

#### 6.2.2 Good Design/ Place making

The proposal will have no impact on the appearance of the area, there are no external physical alterations required other than replacing the roof tiles; that work has already been carried out. The replacement of roof tiles does not constitute development that requires planning permission. The property is set back from the road behind two other residential properties. The proposed change of use has no impact on the street scene.

#### 6.2.3 Impact on Amenity/ Promoting Healthier Places

The proposed change of use is intended to help prevent homelessness within the County. Thus, it can be seen to be conforming with the objective of promoting healthier places. The HMO will be used as a residential property, not unlike the surrounding residential properties. The use of the property by up to six families would be intensifying the current use as a single dwelling but the size of the property can easily accommodate this. The fact that the property may be used to house local families will help with the health and wellbeing of those families as it would be much less disruptive than locating them within other towns in the county, or even outside of the county. The occupiers will be monitored and the change of use should not necessarily result in an increase in anti-social behaviour providing it is managed correctly. The housing of families in this location should not impact on the amenity of adjoining occupiers. The change of use is unlikely to generate a

significant increase in traffic in the local area to warrant refusing the application in relation to the impact on the existing highway infrastructure.

#### 6.2.1 Transport / Housing - sustainable transport issues (Sustainable Transport Hierarchy)

No 62 Chepstow Road is located in a very sustainable location within an established residential area and in easy walking distance to shops and other facilities. The adopted Monmouthshire Parking Standards require that one off street parking space is required per bedroom up to a maximum of three spaces. The submitted plan indicates three off street parking spaces to the front of the property but there is sufficient space available to provide more if necessary. In reality, it is unlikely that the occupiers of the HMO will actually own cars but there is space available for visitor parking. The proposal, however, accords with the provisions of Policy MV1 of the LDP in that adequate parking provision would be provided.

#### 6.2.2 Access / Highway Safety

The property is currently a residential dwelling. The change of use is unlikely to generate a significant increase in traffic. In fact, it is unlikely that the residents using the HMO will be the owners of private cars. The property is so close to the town centre that a high proportion of trips can be made on foot which complies with the objectives of PPW10 Sustainable Transport Hierarchy.

### **6.3 Productive and Enterprising Places**

#### 6.3.1 Economic Development

The proposal will not have an impact on economic development, tourism or the rural economy.

### **6.4 Distinctive & Natural Places**

#### 6.4.1 Landscape/ Visual Impact

This application relates to a change of use and there are no visual impacts as a result. The site is surrounded by existing residential properties with playing fields to the rear. The proposed change of use will not impact on the playing fields.

#### 6.4.2 Water (including foul drainage / SuDS), Air, Soundscape & Light

There is no need for a SuDS drainage application as there is no increase in the built form or hardstanding area.

### **6.5 Response to the Representations of Third Parties**

6.5.1 The adjacent residents have raised concerns that they are unsure regarding the type of residents who will be living in the HMO. In this case, it is likely that the property would be used for families who may potentially become homeless. Planning permission does not restrict the type of tenants who can use the property and in the same way the planning system should not seek to restrict who can occupy any other type of residential dwelling. The question of who will occupy a HMO is not a material planning consideration; the main planning concern is whether the proposed land use is acceptable and the impact of the development on the amenity of the neighbouring parties. The level of parking provision at the site is considered acceptable and the impact on the street scene is minimal. The proposed change of use would not result in any additional overlooking and would not result in a loss of privacy for neighbouring parties. The fact that work had already started does not affect the planning merits of the case. The renovation work and replacement roof tiles did not require the benefit of planning permission and the change of use has not yet been implemented. Therefore, consent would not be required for any works at the site to date. The proposed development would have an acceptable impact on residential amenity and would be in accordance with Policy EP1 of the LDP.

Local residents of existing properties were concerned that the CCTV installed would reduce their level of privacy. The CCTV will not be directed at adjoining properties; rather it will be facing toward

No 62. The only way the existing residents will be filmed would be if they were to visit no 62. Local residents appear to have misinterpreted the term "tenancy licence" for that of prisoners under licence. There will be no prisoners or offenders housed in this property, rather it is to be used to house local families who are in danger of becoming homeless. Local residents refer to asbestos being removed from the roof of the property. There was asbestos in the roof of the garage and this has been removed by a licensed contractor who supervised its suitable disposal and was the subject of an Air Quality Assurance Test. The removal of asbestos is not a planning consideration and Environmental Health Officers have been informed.

Local residents have also expressed concerns about the impact on the school that is to the rear of the site. The proposed change of use will not directly affect local schools but the HMO may possibly prevent some students having to change school if suitable accommodation could not be found locally.

## **6.6 Well-Being of Future Generations (Wales) Act 2015**

6.6.1 The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **7.0 Conclusion**

7.1 The proposed change of use of this modern detached property into a HMO is considered to be acceptable. The HMO would result in the property continuing to be used for a residential purpose and this use is appropriate for the area. The development would not have an unacceptable impact on the residential amenity of any other party and the proposal would be in accordance with the relevant policies in the LDP.

## **8.0 RECOMMENDATION: APPROVE**

### **Conditions:**

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.