

LOCAL MEMBER OBJECTION & PETITION

COMMITTEE DATE: **10/08/2022**

APPLICATION No. **22/00885/MNR**

APPLICATION DATE: 25/04/2022

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: MR COONEY

LOCATION: 76 MAINDY ROAD, CATHAYS, CARDIFF, CF24 4HQ

PROPOSAL: CHANGE OF USE FROM A C3 DWELLING HOUSE TO EIGHT PERSON HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS), WITH GROUND AND FIRST FLOOR REAR EXTENSIONS, REAR DORMER ROOF EXTENSION, INSERTION OF ROOF LIGHT TO THE FRONT ROOF PLANE AND ASSOCIATED ALTERATIONS

RECOMMENDATION 1: That planning permission be **GRANTED** subject to the following conditions:

1. C01 – Statutory Time limit
2. The development shall be carried in accordance with the following approved plans:
 - A116
 - A117
 - A118
 - A119
 - A120
 - A121
 - A122
 - Cycle Store Plan – Eight Cycle

Reason: To ensure satisfactory completion of the development and for the avoidance of doubt in line with the aims of Planning Policy Wales to promote an efficient planning system.

3. Prior to the beneficial use of the property as an 8 bedroom HMO 8 undercover and secured cycle parking spaces, as indicated on the submitted plans shall be provided within the curtilage of the property and shall thereafter be retained and maintained for as long as the use hereby permitted remains in existence.

Reason: To ensure that secure cycle parking facilities are provided to encourage other modes of transport over the private car in accordance with Policy T5 of the Cardiff Local Development Plan 2006-2026.

4. Prior to the beneficial use of the property as an 8 bedroom HMO a refuse storage area as indicated on the approved site layout plan shall be provided within the curtilage of the property. The refuse storage area shall thereafter be retained and maintained for as long as the use hereby permitted remains in existence.
Reason: To secure an orderly form of development and to protect the amenities of the area in accordance with Policy W2 of the Cardiff Local Development Plan 2006-2026.
5. The materials to be used in the construction of the external surfaces of the dormer roof extension hereby permitted shall match those used on the existing building.
Reason: To ensure the external materials harmonise with the existing building in the interests of the visual amenity of the area in accordance with Policy KP5 of the Cardiff Local Development Plan 2006-2026.
6. No more than 8 occupants shall reside at this property at any one time.
Reason: For the avoidance of doubt as the permission hereby granted relates to the use of the property as a Sui Generis HMO

RECOMMENDATION 2 The applicant be advised that the property may now be licensable under Part 2 of the Housing Act 2004 and in this respect they should contact Shared Regulatory Services on 0300 123 6696 to confirm if a license is required.

RECOMMENDATION 3: That the applicant be advised that no work should take place on or over the neighbour's land without the neighbour's express consent and this planning approval gives no such rights to undertake works on land outside the applicants ownership.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 This application seeks planning permission to change the use of the property from a C3 residential dwelling into an 8 bedroom HMO together with the erection of a ground and first floor rear extension, a rear dormer roof extension, the installation of a rooflight to the front elevation and associated alterations. The submitted drawings/details provide information regarding the principal matters for consideration as set out in the relevant Supplementary Planning Guidance.
- 1.2 Internally the property accommodates two bedrooms, a shower room and a lounge/kitchen on the ground floor; four bedrooms and a bathroom on the first floor; and two bedrooms and a shower room on the second floor within the converted roofspace.
- 1.3 Externally a private amenity area of approximately 32 square metres will be provided to the rear of the property excluding the area shown for waste storage and cycle storage.

2. **DESCRIPTION OF SITE**

- 2.1 The site comprises a two storey property located in a terrace of two storey properties within the Cathays Ward of Cardiff. The lawful use of the property is as a C3 residential dwelling.

3. **RELAVANT SITE HISTORY**

- 3.1 None.

4. **POLICY FRAMEWORK**

- 4.1 The site lies within a residential area as defined by the proposals map of the Cardiff Local Development Plan 2016.

Relevant National Planning Guidance:

Planning Policy Wales (2021)
Future Wales: The National Plan 2040 (2021)
Planning Policy Wales TAN 11: Noise
Planning Policy Wales TAN 12: Design
Planning Policy Wales TAN 15: Development and Flood Risk
Planning Policy Wales TAN 21: Waste

Relevant Cardiff Local Development Plan Policies:

Policy KP5 : Good Quality and Sustainable Design
Policy KP8: Sustainable Transport
Policy KP13 : Responding to Evidenced Social Needs
Policy EN 14 (Flood Risk)
Policy H5 : Sub-Division or Conversion of Residential Properties
Policy T1 : Walking and Cycling
Policy T5 : Managing Transport Impacts
Policy W2 : Provision for Waste Management Facilities in Development

Relevant Supplementary Planning Guidance:

Waste Collection and Storage Facilities (2016)
Houses in Multiple Occupation (2016)
Cardiff Residential Extensions and Alterations (2017)
Managing Transportation Impacts (Incorporating Parking Standards) (2018)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 Waste Management have been consulted and have advised that The proposed area for the storage of waste and recycling has been noted and is acceptable as this is where the residents waste is currently stored in the front forecourt of the property and there is no change to this arrangement

The property will require the following for recycling and waste collections:

- 1 x 240 litre bin for general waste
- 2 x 25 litre kerbside caddy for food waste
- Green bags for mixed recycling (equivalent to 240 litres)

The kitchen should be designed to allow the separation of waste into three waste streams; general, recycling and food waste, in order to encourage the correct disposal of waste.

Refuse storage, once implemented, must be retained for future use.

Residents will be expected to present all waste themselves to the kerbside for collection.

- 5.2 Traffic and Transportation advise that Cardiff SPG Managing Transportation Impacts (Incorporating Parking Standards) adopted in July 2018 sets the maximum number of car parking spaces that must be provided but no minimum number of car parking spaces that must be provided. No car parking is available off street which will remain unchanged. Cardiff Council are trialing zonal parking in parts of Cathays including Maindy Road Cardiff, where all on street car parking is controlled. The application site is located in parking zone C2. Residents of this proposed development if approved and implemented will not be eligible to apply for resident parking permits.

In respect of cycle parking this is proposed to be located at the rear of the property consisting of eight covered cycle parking spaces which is acceptable as it meets the minimum cycle parking requirement set out in Cardiff SPG Managing Transportation Implications (Incorporating Parking Standards) adopted in July 2018. The cycle parking will be accessible to all residents living in the proposed HMO. Cycles will be pushed through the ground floor of the property because there is no alternative side entrance adjoining the property and there is no back lane, which is acceptable at this is a change of use of an established property rather than a new build.

- 5.3 The Housing Enforcement Team of Shared Regulatory Services have advised that the layout appears sufficient for 8 occupiers and that the property will require a mandatory HMO License.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 South Wales Police have been consulted and have not commented on this planning application.

7. **REPRESENTATIONS**

- 7.1 Neighbours have been notified of the application. Objections have been received from 31 Cosmeston Street, 34 Brithdir Street, 54 Letty Street, 56, 58 Maindy Road. A summary of the objections is as follows:

The 20% threshold for HMO's in Cathays has been exceeded;

Over intensive development

That there will be material harm to the amenity of existing residents due to noise, general disturbance, waste issues, crime and anti-social behaviour;

The cumulative impact of development;

Impact on local parking provision

Work has already commenced

7.2 A petition of 51 signatories has also been submitted in respect of the proposal. The objection is summarised as follows:

Work has already started;

Parking issues associated with the development;

Noise issues associated with the development;

Anti social behaviour associated with the development.

7.3 Councillors Merry, Weaver and Mackie also object to the proposal for the following reasons:

I am writing on behalf of myself, Cllr Mackie and Cllr Weaver to object to this application on the following grounds:

1. *The use of the property as a House in Multiple Occupation will further exacerbate the unacceptable cumulative adverse impacts on the amenities of the area by virtue of:*
 - *a higher number of transient residents leading towards less community cohesion and undermining the objectives of securing a sustainable mixed use community, contrary to Policy KP5, KP13 and H5 of the Cardiff Local Development Plan (2006-2016) and advice contained within the Houses in Multiple Occupation Supplementary Planning Guidance (2016).*
 - *a higher portion of transient residents leading to an increase of cumulative demand on social, community and physical infrastructure, contrary to Policy KP5, KP13 and H5 of the Cardiff Local Development Plan (2006-2026) and advice contained within the Houses in Multiple Occupation Supplementary Planning Guidance (2016).*
2. *The use of the property as a House in Multiple Occupation will further exacerbate the negative impacts caused by Houses in Multiple Occupation in respect of crime and anti-social behaviour, contrary to Policy H5 (Sub-Division or Conversion of Residential Properties) of the Cardiff Local Development Plan (2006-2016) and the Houses in Multiple Occupation Supplementary Planning Guidance (2016).*
3. *The use of the property as a HMO will result in an increase in the number of HMO's within the vicinity to the detriment of the existing community affecting its composition, cohesion, character, functionality and its sense of place contrary to Policy H5 of the Cardiff Local Development Plan (2006-2026), the Houses in*

Multiple Occupation Supplementary Planning Guidance (2016) and advice contained within Planning Policy Wales 11th Edition 2021.

4. *We would also argue that the policy goes against Policy H5 of the LDP in terms of the aspiration for good design and high standard of accommodation. The design may or may not meet minimum size standards, due to the shape of some of the rooms that is difficult to calculate, but it sub-divides bays and gives way to awkward room shapes. The overall design is simply not of the high design we would expect.*
5. *The two storey extension is overbearing and an unneighbourly form of development that will have a negative impact on the amenity of neighbouring properties.*

The council carried out a public consultation and provided an evidence base for its supplementary guidance and we believe the council should uphold its own guidance which this development clearly breaches. Maindy Road has also historically been a much more residential street due to the design of the houses. Cathays needs a mix of house use and a further HMO in this street will undermine this. You can see the strength of local feeling by the number of objections received to date.

8. **ANALYSIS**

8.1 This application seeks planning permission to convert the property from a C3 residential dwelling into an 8 bedroom HMO. In order to facilitate the change of use a ground floor and first floor rear extension and a dormer roof extension are proposed. As the proposal seeks tenanted living accommodation occupied by up to eight people, who are not related and who share one or more basic amenities as their only or main residence, the main issue for this application is the impact the change of use will have on the character of the area, the community and the living conditions of future occupiers of the property together with the impact of the extensions and dormer roof extension.

8.2 **Policy Considerations** - In respect of the conversion of the property to a C4 HMO Policy H5 of the adopted LDP is considered relevant. Further guidance can also be found in the adopted HMO SPG.

8.3 Policy H5 of the LDP is considered to be a prescriptive policy whereby as long as the relevant criteria is met there is unlikely to be any objection to such proposals. It advises that:

“Proposals for any conversion to flats or Houses in Multiple Occupation will be permitted where:

- i. The property is of a size whereby the layout, room sizes, range of facilities and external amenity space of the resulting property would ensure an adequate standard of residential amenity for future occupiers.*
- ii. There would be no material harm to the amenity of existing, nearby residents by virtue of general disturbance, noise or overlooking.*
- iii. The cumulative impact of such conversions will not adversely affect the amenity and/or the character of the area.*

iv. Does not have an adverse effect on local parking provision.”

8.4 The approved Supplementary Planning Guidance on HMO's further expands on this Policy and aims to provide background information on, and provide a rationale for how the Council will assess applications for planning permission to create new C4 and Sui Generis HMOs. It aims to identify the threshold at which it is deemed that the concentration of HMOs in an area has reached a level considered to adversely impact upon the community. It is recognised that HMOs can provide an important source of housing and it is recognised that demographic change has driven many of the changes that have seen traditional family homes become HMOs. HMOs are a popular accommodation source for many groups, including students, young professionals, migrant workers and often people on lower incomes.

However, concentrations of HMOs clustered in small geographical areas can detract from the character of the area and actively contribute towards a number of perceived problems, including, but not limited to:

- Increased population density, leading to greater demand for infrastructure, such as waste collections and on-street parking.
- Higher proportion of transient residents, potentially leading to less community cohesion, undermining existing community facilities
- Areas of higher HMO concentrations becoming less popular with local residents, with many properties taken out of the owner-occupier market.
- A proliferation of properties vacant at certain points of the year
- Subsequent impact on crime, local centre viability, as a result of the number of properties temporarily vacant for long periods.

It is considered that this may conflict with policy KP13 of the LDP which aims to improve the quality of life for all.

Having identified some of the issues caused by HMOs the Council considered it was necessary to determine a threshold at which new HMOs may cause harm to a local area. This threshold will resist further HMOs in communities that already have a concentration above this limit, while also controlling the growth of HMOs in communities below this threshold. A two-tier threshold will therefore be applied to determine when an area has reached the point at which further HMOs would cause harm. In Cathays and Plasnewydd the figure of 20% is to be applied and in all other wards, the figure of 10% is to be applied.

This means that within Cathays or Plasnewydd, if more than 20% of the dwellings within a 50m radius of the proposed HMO are already established HMOs (i.e. either C4 or sui generis in Planning terms) then this development would be considered unacceptable. In other wards the figure would be 10%. This is justified because Cathays and Plasnewydd are home to a vastly greater number of HMO's than other parts of the city and are designated as Additional Licensing Areas.

When considering the level of concentration, a definition of 50m from the property in question will be used. Within this 50m radius all dwellinghouses that have their main street facing entrance within the radius will be included. It is considered that 50m is

deemed an appropriate extent to reflect an area that lies within a sphere of influence of a property, such as being affected in terms of amenity or disruption. It is also an appropriate distance in densely populated inner wards and will ensure that many properties are taken into account.

When calculating the number of HMOs within the 50m radius, it is important to refer to and respect the location of existing HMOs. This will be determined by using data at the Councils disposal such as planning applications, licensed HMO data, Council Tax data or electoral roll information. This will help identify the areas where the concentration is such that the Council will seek to prevent additional HMOs.

Having regard to the “cumulative impact” of such conversions in respect of this application an analysis has been made on the extent of HMO’s (including those defined as such under Sections 254 259 of the Housing Act 2004) against the threshold limits identified above. As the application site is located within the Cathays Ward of Cardiff a 20% threshold limit will be relevant. There are 28 properties within a 50m radius of the application site. Of these 19 are registered as HMO’s which equates to 68%. The threshold for Cathays is 20% therefore the proposal is above the threshold contained within the SPG on HMO’s.

However, the Council has also lost a significant amount of appeals against the conversion of properties into HMO’s with costs being awarded on 9 occasions on the basis that the Council’s decision was unreasonable. The Council must therefore give due consideration to the significant number of appeal decisions in respect of the matter. Failure to do so would be improper and may ultimately result in increasing cases of the award of costs against the Council where appeals are allowed.

In light of recent appeal decisions which form a material planning consideration the Council will only resist applications on cumulative impact where the percentage of HMO’s falls within 10% or 20% if in Cathays and Plasnewydd and 65%. Above 65% it is felt that the character of the area will not be undermined. As this identifies that 68% of properties are registered as HMO’s then there is no objection to the proposal and notwithstanding the guidance set out in the HMO SPG a refusal on Policy grounds cannot be justified.

- 8.5 **Room Sizes** – The Cardiff HMO Licensing Fire & Safety Standards (updated in 2014) sets standards in terms of amenity, space standards and facilities which must be adhered to in order to obtain a License from the Council. From a planning perspective, paragraph 6.1.1 of the adopted HMO SPG identifies that this would be the minimum that would be expected to be achieved for all applications for both C4 HMO’s and larger sui generis HMO’s. Having had regard to this criteria the submitted plans indicate that these standards would be met.
- 8.7 **Waste** – Policy W2 of the Cardiff Local Development Plan seeks to ensure that adequate provision is made for waste management facilities within new developments, in order to aid the Council in meeting the challenging waste recycling targets set by European and National targets. Facilities provided should be secure, unobtrusive and easily assessable.

The adopted Waste Collection and Storage Facilities SPG supplements policies adopted in the LDP relating to the provision of waste management facilities in new development. Paragraph 4.12 of the approved SPG on Waste Collection and Storage Facilities advises that for HMO's the recommended bin allocation for between 6 & 8 residents is as follows :-

1 x 240L bin for general waste
1 x 240L bin for garden waste (if required)
1 x 25L bins for food waste
Green bags for recycling.

Details of waste provision have been submitted as part of this application. Waste Management have confirmed that the submitted details are acceptable and condition 4 has been imposed accordingly.

8.8 Transportation – Policy KP8 of the LDP seeks to reduce travel demand and dependence on the car. It identifies that to accommodate the planned growth levels predicted for the city, existing and future residents will need to be far less reliant on the private car and seeks to ensure that more everyday journeys are undertaken by sustainable modes of transport. Policy T5 of the LDP also identifies that all new development for which planning permission is required will contribute to reducing reliance on the private car, in line with national planning policies and the strategic transport objectives of the LDP.

The creation of a HMO in this sustainable location is considered to fundamentally accord with the principles of sustainable design, locating places to live within walking distance of local amenities, public transport links and places of work. It would therefore intrinsically accord with the principles of sustainable transport and the promotion of a 50/50 modal split, as promoted by Policy KP8, as occupiers would not be reliant upon the private car as a mode of transport. The creation of bicycle parking spaces for occupiers of dwellings is considered an essential element in promoting sustainability and achieving the modal split. The Managing Transport Impacts (Incorporating Parking Standards) (2018) SPG identifies that a HMO will require a minimum of 1 cycle parking spaces per bedroom. As the proposal is for an 8 bedroom HMO then 8 cycle parking spaces will be required.

In respect of cycle parking the applicant has submitted details showing the provision of 8 undercover and secure cycle parking spaces within a bespoke cycle store to be erected within the rear garden. This is considered acceptable and accords with advice contained within the SPG and condition 3 has been imposed accordingly.

In respect of car parking the Managing Transport Impacts (Incorporating Parking Standards) (2018) SPG identifies that a 6 bedroom HMO will require between zero and one off street car parking space to be policy compliant. The application does not propose any off street car parking spaces which is in accordance with the aims and objectives of both the LDP and SPG in seeking to reduce dependence on the private motor vehicle. Whilst it is noted that there are objections in respect of insufficient parking facilities proposed there is no requirement for any car parking spaces to be

provided.

- 8.9 **Amenity Space** – Criterion i) of Policy H5 of the LDP advises that planning permission will be granted where *“The property is of a size whereby the ...external amenity space of the resulting property would ensure an adequate standard of residential amenity for future occupiers.”* This is further reinforced by the HMO SPG which advises that amenity space is important in retaining a quality of life for people living within the dwelling. Paragraph 6.3.2 of the SPG states *“The City of Cardiff Council has typically used the figure of 25m² as the minimum expected external useable amenity space for C3 dwellings, i.e. for those dwellings up to 6 persons. This level should also apply to C4 properties. Each additional person would be expected to have 2.5m². As such, for example, the minimum expected for a 7 bed HMO would be 27.5m² of external amenity space. Each additional person should result in a corresponding increase of 2.5m². Useable amenity space is considered to be at least 1.4m wide, enabling storage and access.”*

In respect of amenity space as the application seeks permission for to change the use of the property to an 8 person HMO then 30 square metres will be required. Having undertaken an assessment of the property a private rear amenity space of approximately 32 square metres will be available for occupiers to use in addition to provision for bin and cycle storage facilities. As the minimum amenity space requirement as specified in the HMO SPG will be 30 square metres the proposal is therefore considered acceptable when considered against the HMO SPG.

- 8.10 **External Alterations** – The installation of a rooflight to the front elevation is considered acceptable. It should also be noted that the installation of rooflights to this property could presently be undertaken utilising existing Permitted Development rights.
- 8.11 **Ground Floor Rear Extension** - In respect of the ground floor rear extension this is considered acceptable in regards to its scale and design and will provide a subservient addition to the dwelling which would not prejudice the general character of the area or the existing dwellinghouse. The scale of the proposal and its relationship with neighbouring properties is considered acceptable. It will be finished in materials to match the existing dwelling and it is considered that the proposal would not be overbearing or generally un-neighbourly which would justify concern. There are also other similar extension of this size within the vicinity.
- 8.12 **First Floor Rear Extension** – In respect of the first floor rear extension this will project 3.5m from the rear of the property. It will be on the boundary with 78 Maindy Road and approximately 2.4m from the boundary with 74 Maindy Road. In respect to the impact upon 78 Maindy Road it should be noted that the window closest to the extension is not considered to be a habitable room as it serves a bathroom and is obscurely glazed.

Paragraphs 7.28 - 7.40 take into consideration the 25 and 45 degree rules. These relate to the assessment of sunlight and daylight based on the BRE guidance in Site Planning for Daylight and Sunlight - a guide to good practice. The SPG advises that developments which do not meet these standards will be resisted without further justification or other reasonable measures being in place to provide adequate light. The standards apply equally to impacts on both new and existing buildings, and should be

assessed accordingly. The standards will not apply to affects resulting from the height of minor gables. Where the standards are not being met, ways to improve the situation to the required standard will be sought.

In respect of the 25 degree rule this relates to windows facing other buildings or relevant structures. A significant building or structure will be obstructing reasonable light to a relevant window if it breaks a line projecting up from the centre of the relevant window 25 degrees from the horizontal. If obstruction occurs, applicants will be required to provide proof that windows will not be adversely affected by this structure by quantifying the daylight using the Skylight Indicator or Waldram assessments set out in the BRE publication. The measure of daylight reaching a window should not fall below 27%. Software applications exist to help with such an assessment. Having undertaken an assessment of the extension as built the 25 degree rules is not breached.

With respect to the 45 degree rule this second assessment relates to any extensions from an existing building line, and windows affected by this extension. Whilst it is noted that the extension will breach exceed the limit horizontally from within the first floor bedroom of 78 Maindy Road it will not exceed the limit when measured vertically. For the rule to be breached by the extension both the horizontal line and the vertical line are required to be breached. As only the horizontal line is breached then the 45 degree rule is not breached.

It is therefore considered that the scale and design of the first floor rear extension would not be overbearing or generally un-neighbourly which and is therefore considered acceptable.

8.13 Dormer Roof Extension and Rooflight - In respect of the dormer roof extension this will be set up the roof slope and is to be finished in materials to match the existing roof covering in accordance with advice contained within the Residential Extensions and Alterations SPG and raises no concerns. The rooflight to the front elevation is considered acceptable. It should also be noted that a dormer roof extension of this size could also be erected utilising existing Permitted Development rights.

8.14 Objections

In respect of the objections the following should be noted:

- The 20% threshold for HMO's in Cathays has been exceeded – This is covered in paragraphs 8.2-8.4 of this report;
- Over intensive development - This is covered in paragraphs 8.2 - 8.4 and 9 - 9.3 of this report;
- That there will be material harm to the amenity of existing residents due to noise, general disturbance, waste issues, crime and anti-social behaviour - This would be a matter for Shared Regulatory Services if a statutory nuisance has occurred, the police or Waste Management;
- The cumulative impact of development - This is covered in paragraphs 8.2-8.4 of this report;
- Impact on local parking provision – This is covered in paragraph 8.8 of this report;

- Work has already commenced – This is not a reason to refuse planning permission. The owner has been advised that until such time as planning permission has been granted all further works that require the benefit of planning permission would be undertaken at their own risk. The lawful use of the property is presently a C3 Residential dwelling and as such the owner enjoys certain rights to refurbish/extend the property without the need for planning permission.

9. OTHER CONSIDERATIONS

- 9.1 Crime and Disorder Act 1998 – Section 17(1) of the Crime and Disorder Act 1998 imposes duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.
- 9.2 Equality Act 2010 – The Equality Act 2010 identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council’s duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.
- 9.3 Well-Being of Future Generations Act 2016 – Section 3 of this Act imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

10. RECOMMENDATION

- 10.1 The Council is mindful of the current climate with respect to the amount of HMO’s within the City and that there are concerns that a proliferation of such uses can undermine the character of an area to the detriment of local residents.

In respect of this application the Council is satisfied that the proposal complies with Policy H5 of the Cardiff Local Development Plan 2026-2026 and advice contained within the HMO’s Supplementary Planning Guidance as mentioned previously in this report.

Having taken all of the relevant factors into consideration there are no grounds to justify a refusal of this application and it is therefore recommended that planning permission be granted, subject to conditions.

11. **ALTERNATIVE RECOMMENDATION**

11.1 This application was considered at 6th July 2022 Planning Committee where it was resolved to defer the application to the next meeting of Planning Committee for reasons for refusal. If members remain minded to refuse the application the following reasons are suggested :

1. The use of the property as an 8 bedroom House in Multiple Occupation has the potential to further exacerbate the unacceptable cumulative adverse impacts on the amenities of the area by virtue of:
 - a higher number of transient residents leading towards less community cohesion and undermining the objectives of securing a sustainable mixed use community, contrary to Policy KP5, Policy KP13 and Policy H5 of the Cardiff Local Development Plan (2006-2016) and advice contained within the Houses in Multiple Occupation Supplementary Planning Guidance (2016).
 - a higher portion of transient residents leading to an increase of cumulative demand on social, community and physical infrastructure, contrary to Policy KP5, Policy KP13 and Policy H5 of the Cardiff Local Development Plan (2006-2026) and advice contained within the Houses in Multiple Occupation Supplementary Planning Guidance (2016).
2. The use of the property as an 8 bedroom House in Multiple Occupation has the potential to further exacerbate the negative impacts caused by Houses in Multiple Occupation in respect of crime and anti-social behaviour, contrary to Policy KP5, Policy KP13 and Policy H5 of the Cardiff Local Development Plan (2006-2016) and the Houses in Multiple Occupation Supplementary Planning Guidance (2016).
3. The use of the property as an 8 bedroom HMO will result in an increase in the number of HMO's within the vicinity to the detriment of the existing community affecting its composition, cohesion, character, functionality and its sense of place contrary to Policy KP5, Policy KP13 and Policy H5 of the Cardiff Local Development Plan (2006-2026) and the Houses in Multiple Occupation Supplementary Planning Guidance (2016).

CARDIFF
CAERDYDD

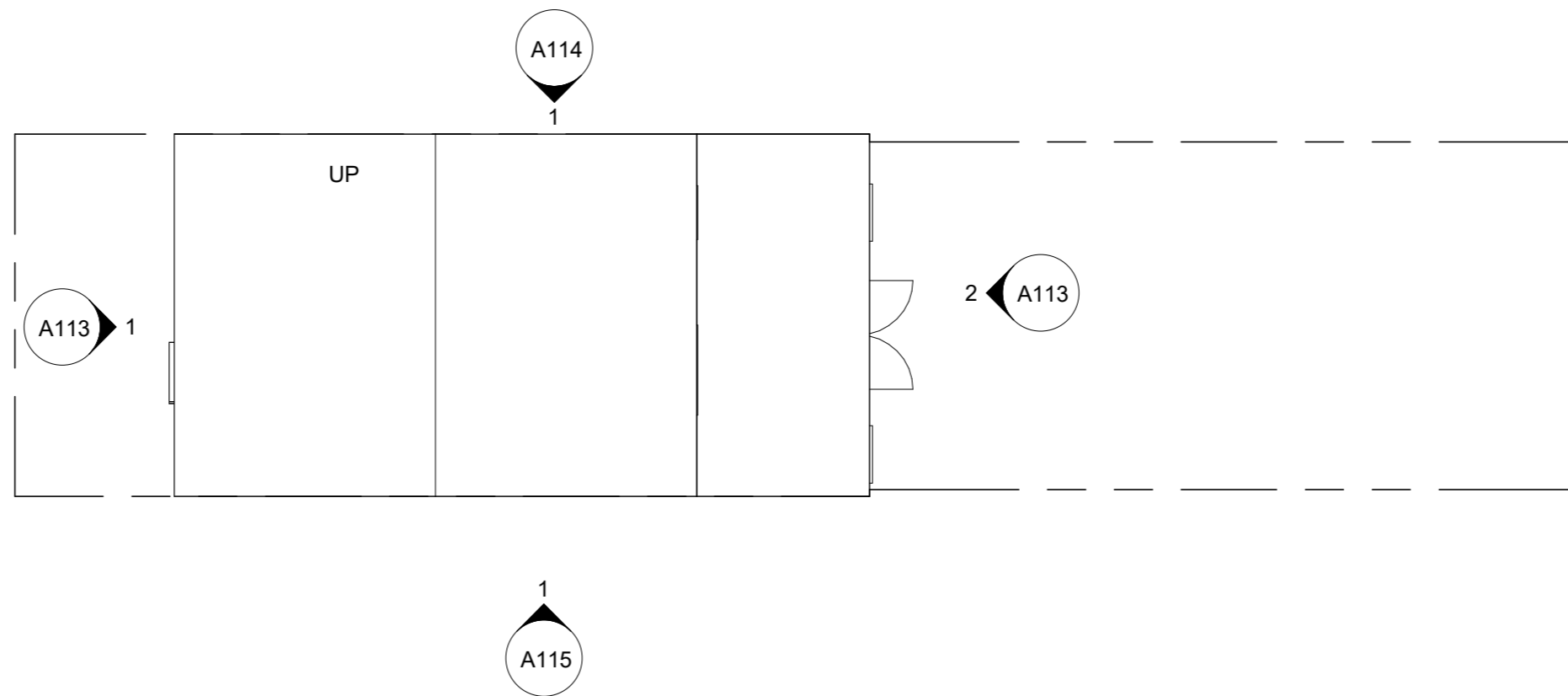


Public
Shop



ST 177 NE
ST 187 NW

FILED PLAN
H.M. LAND



1 Site - Existing
1 : 100

76 Maindy Road,
Cardiff, CF24 4HQ

www.QuinCo.co.uk



John Pinn

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76 Maindy Road,
Cardiff, CF24 4HQ

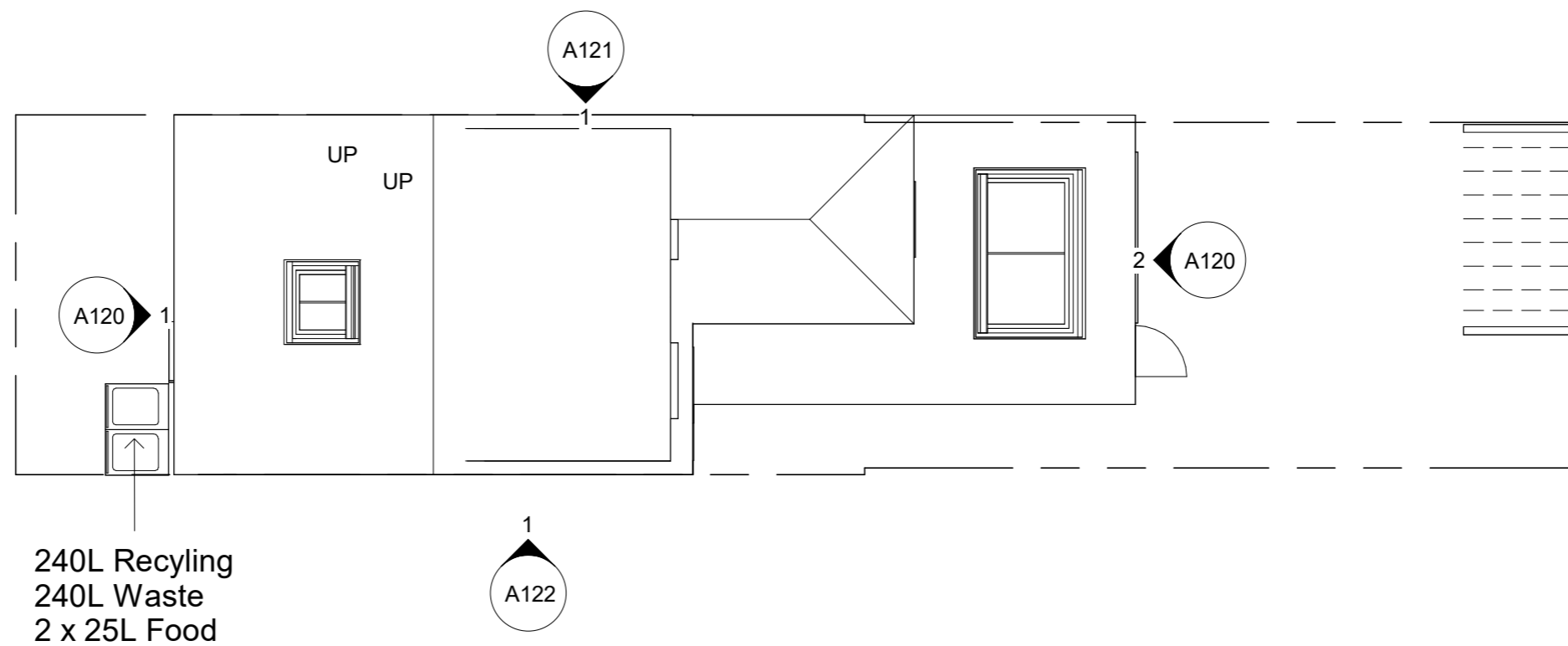
Mark Cooney

Site Plan As Existing

| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A110

Scale 1 : 100



1 Site - Proposed
1 : 100

76 Maindy Road,
Cardiff, CF24 4HQ

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John Pinn

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76 Maindy Road,
Cardiff, CF24 4HQ

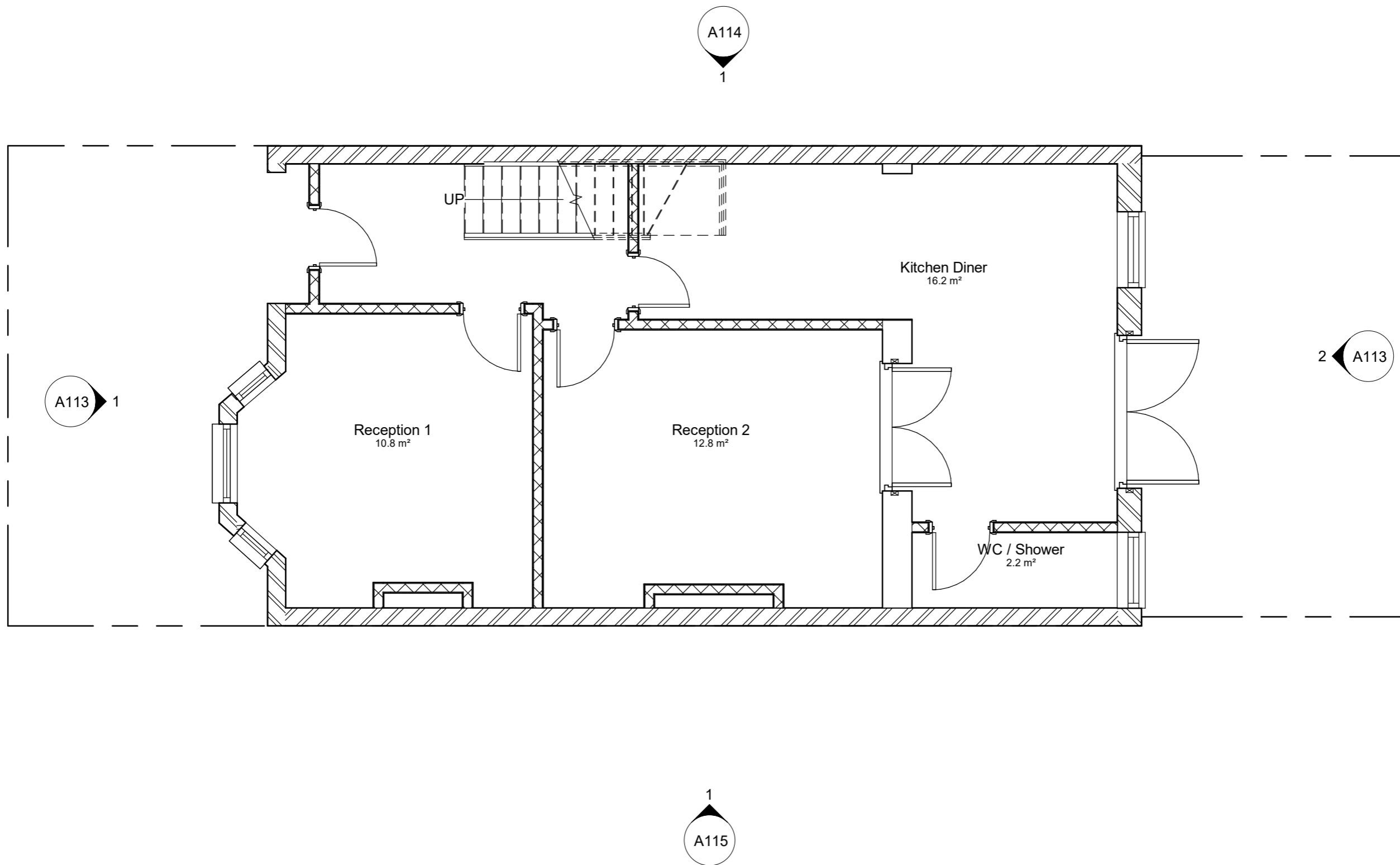
Mark Cooney

Site Plan As Proposed

| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A116

Scale 1 : 100



1 00 - Ground Floor Existing
1 : 50

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Cardiff, CF24 4HQ

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76 Maindy Road,
Cardiff, CF24 4HQ

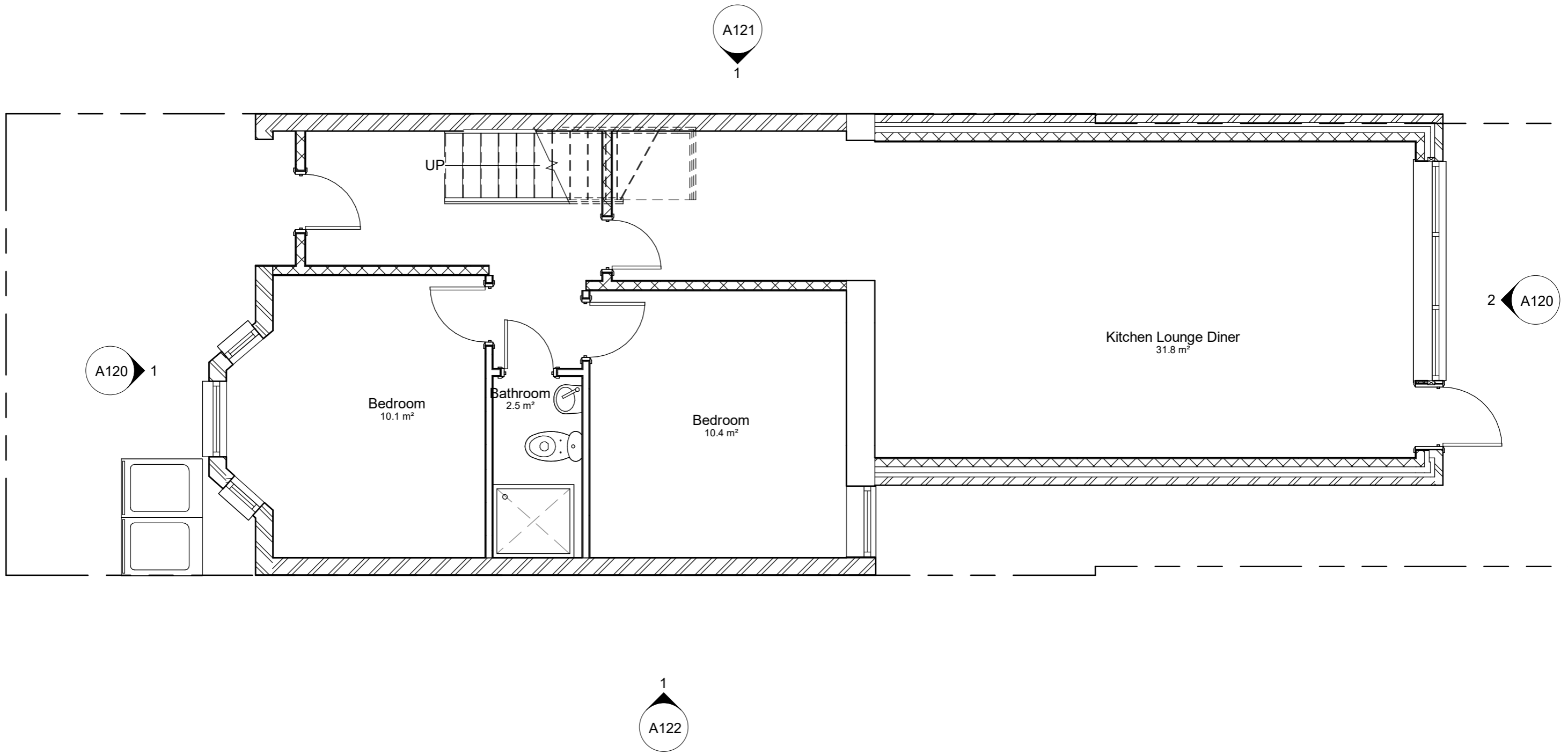
Mark Cooney

Ground Floor As Existing

| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A111

Scale 1 : 50



1 00 - Ground Floor Proposed
1 : 50

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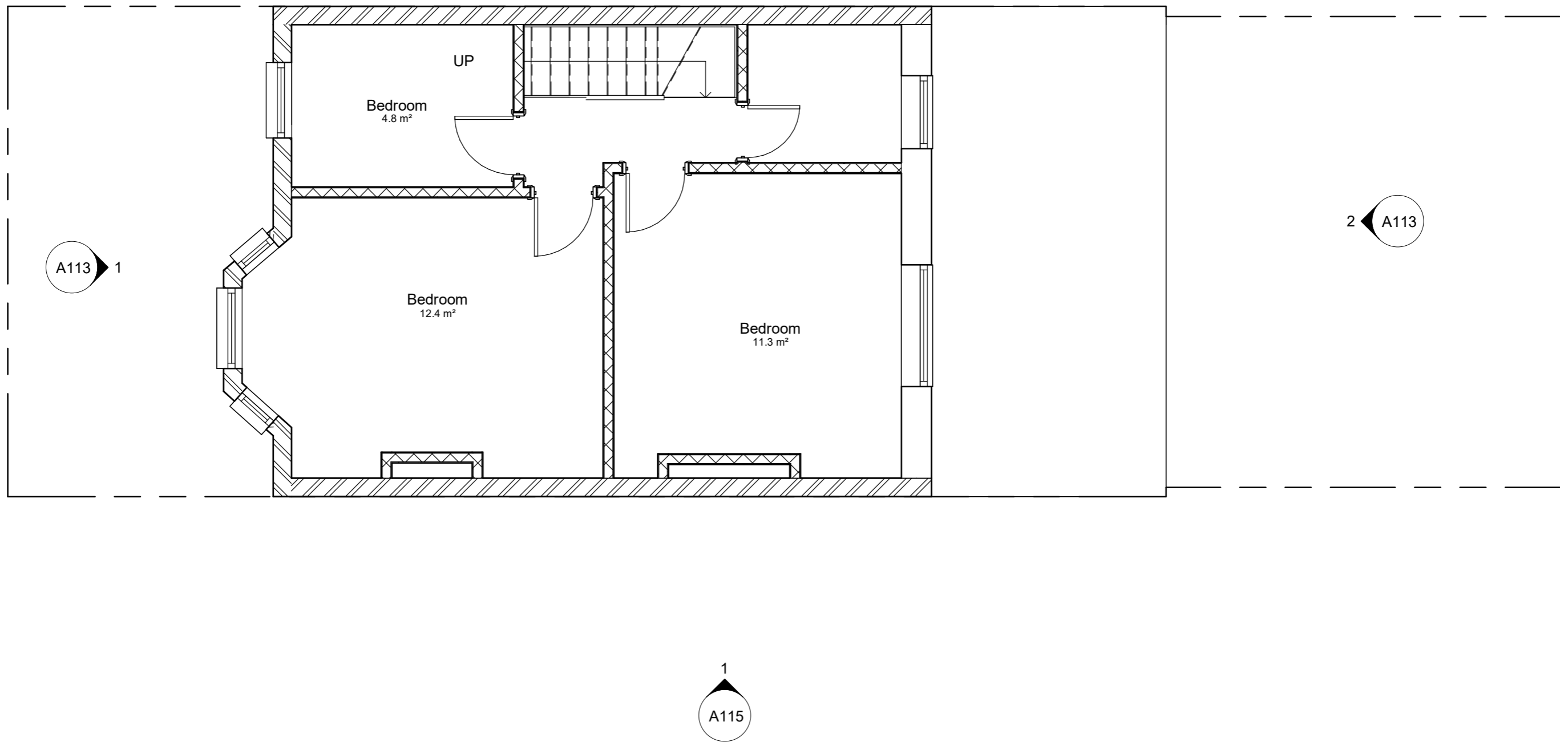
Q
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Mark Cooney

| | | |
|--------------------------|-----------|--------------|
| Ground Floor As Proposed | | A117 |
| Project number | JP76 | |
| Date | 15.04.22 | |
| Drawn by | John Pinn | |
| Checked by | N/A | Scale 1 : 50 |



1 01 - First Floor Existing
1 : 50

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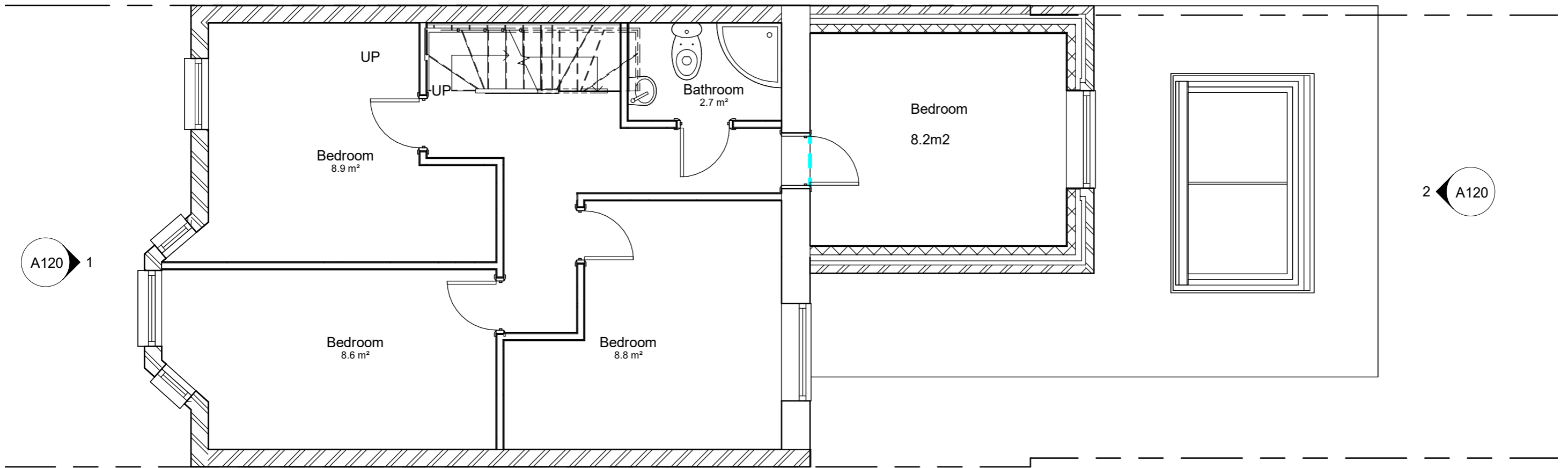
Mark Cooney

First Floor As Existing

| | |
|----------------|----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | Author |
| Checked by | Checker |

A112

Scale 1 : 50



1 01 - First Floor Proposed
1 : 50

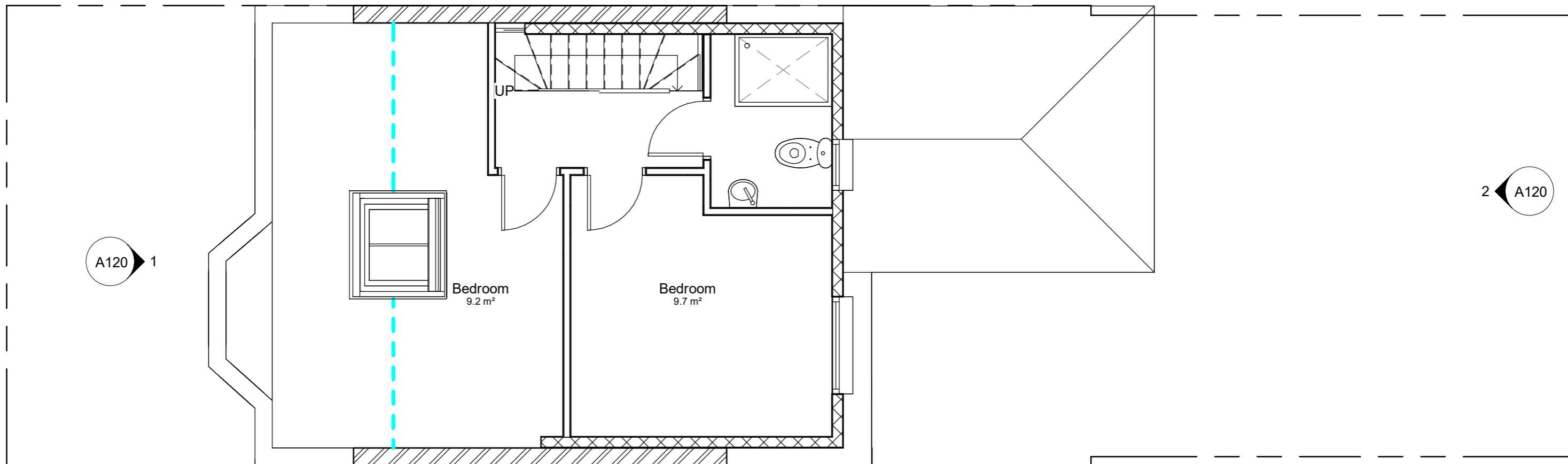
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Mark Cooney

| | | |
|-------------------------|-----------|--------------|
| First Floor As Proposed | | A118 |
| Project number | JP76 | |
| Date | 15.04.22 | |
| Drawn by | John Pinn | |
| Checked by | N/A | Scale 1 : 50 |



1

02 - Second Floor Proposed

1 : 50

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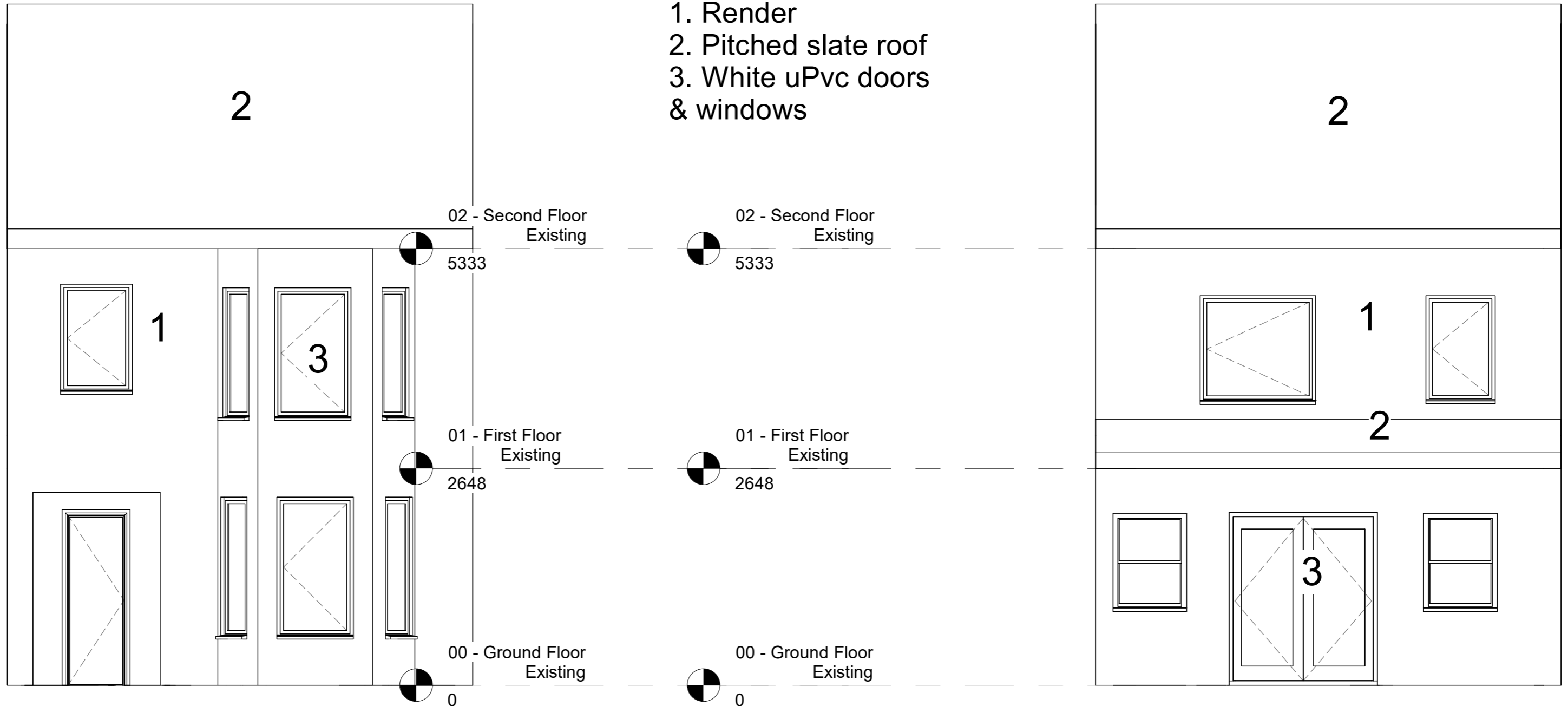
Second Floor As Proposed

| | |
|----------------|----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | Author |
| Checked by | Checker |

A119

Scale 1 : 50

- Legend**
- 1. Render
 - 2. Pitched slate roof
 - 3. White uPvc doors & windows



1 Front Elevation Existing
1 : 50

2 Rear Elevation Existing
1 : 50

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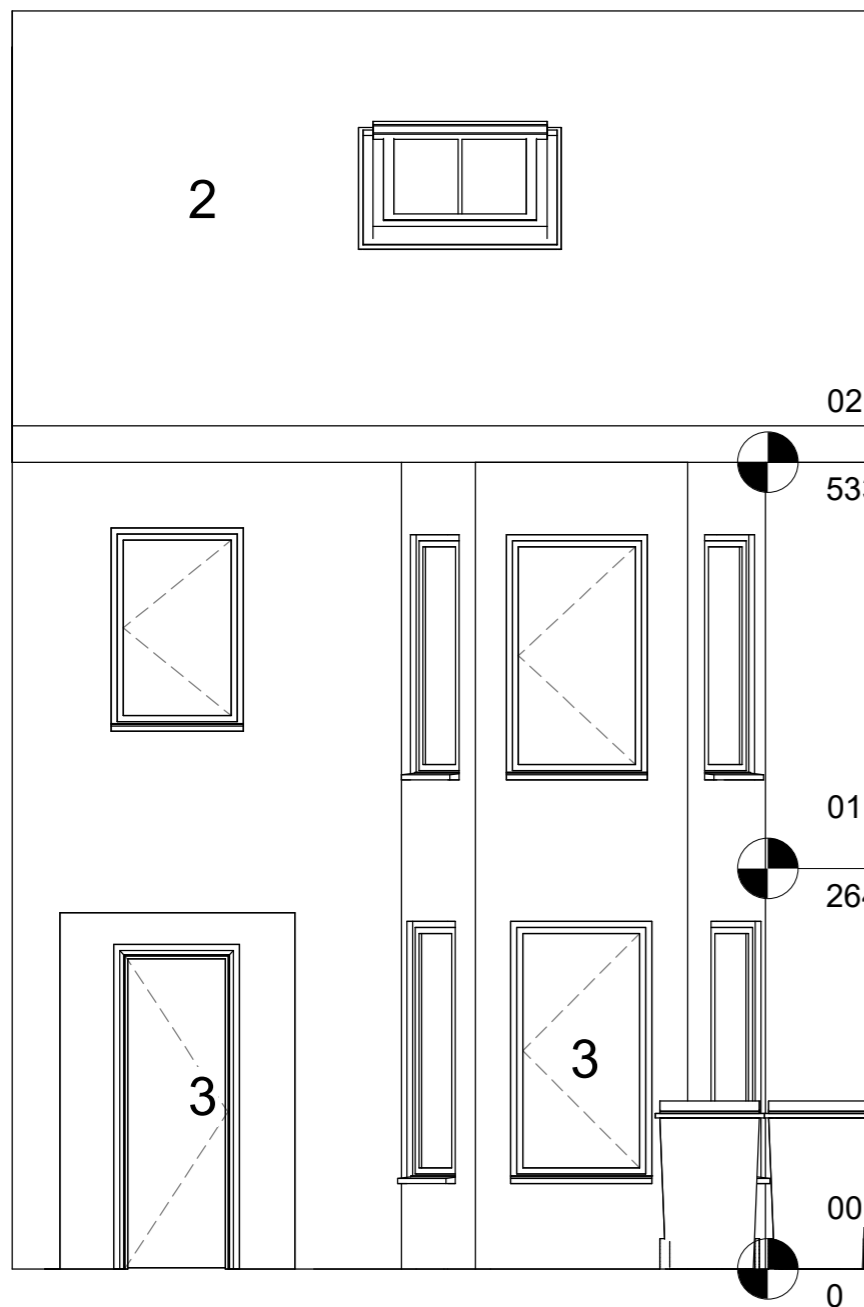
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Elevations As Existing

| | | |
|----------------|-----------|-------------|
| Project number | JP76 | A113 |
| Date | 15.04.22 | |
| Drawn by | John Pinn | |
| Checked by | N/A | |
| Scale | | 1 : 50 |

- Legend**
- 1. Render
 - 2. Pitched slate roof
 - 3. White uPvc doors & windows
 - 4. New sand & cement render to match existing
 - 5. Skylight
 - 6. Hanging slate
 - 7. Single ply flat roof with fascia



02 - Second Floor Existing

5333

01 - First Floor Existing

2648

00 - Ground Floor Existing

0

02 - Second Floor Existing

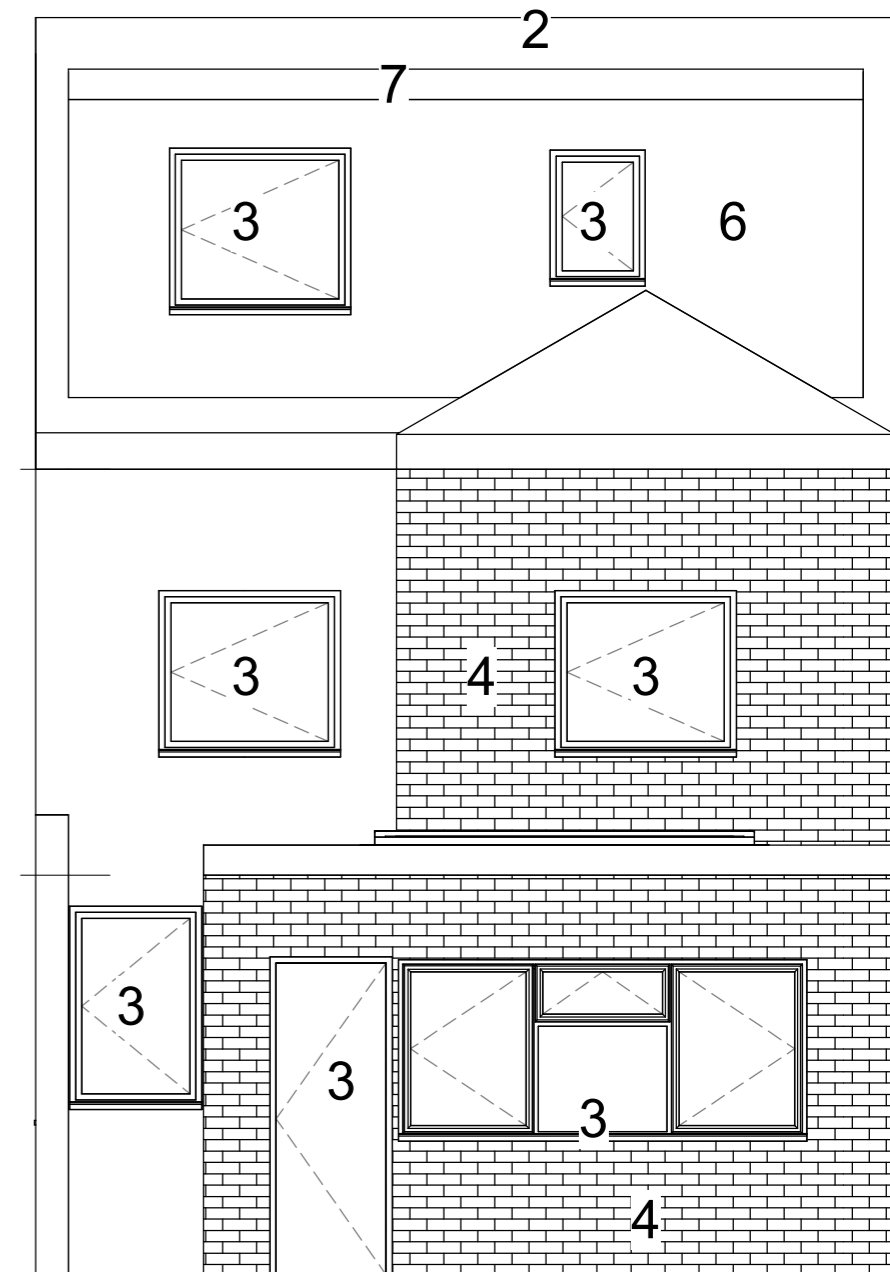
5333

01 - First Floor Existing

2648

00 - Ground Floor Existing

0



1 Front Elevation Proposed
1 : 50

2 Rear Elevation Proposed
1 : 50

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Elevations As Proposed

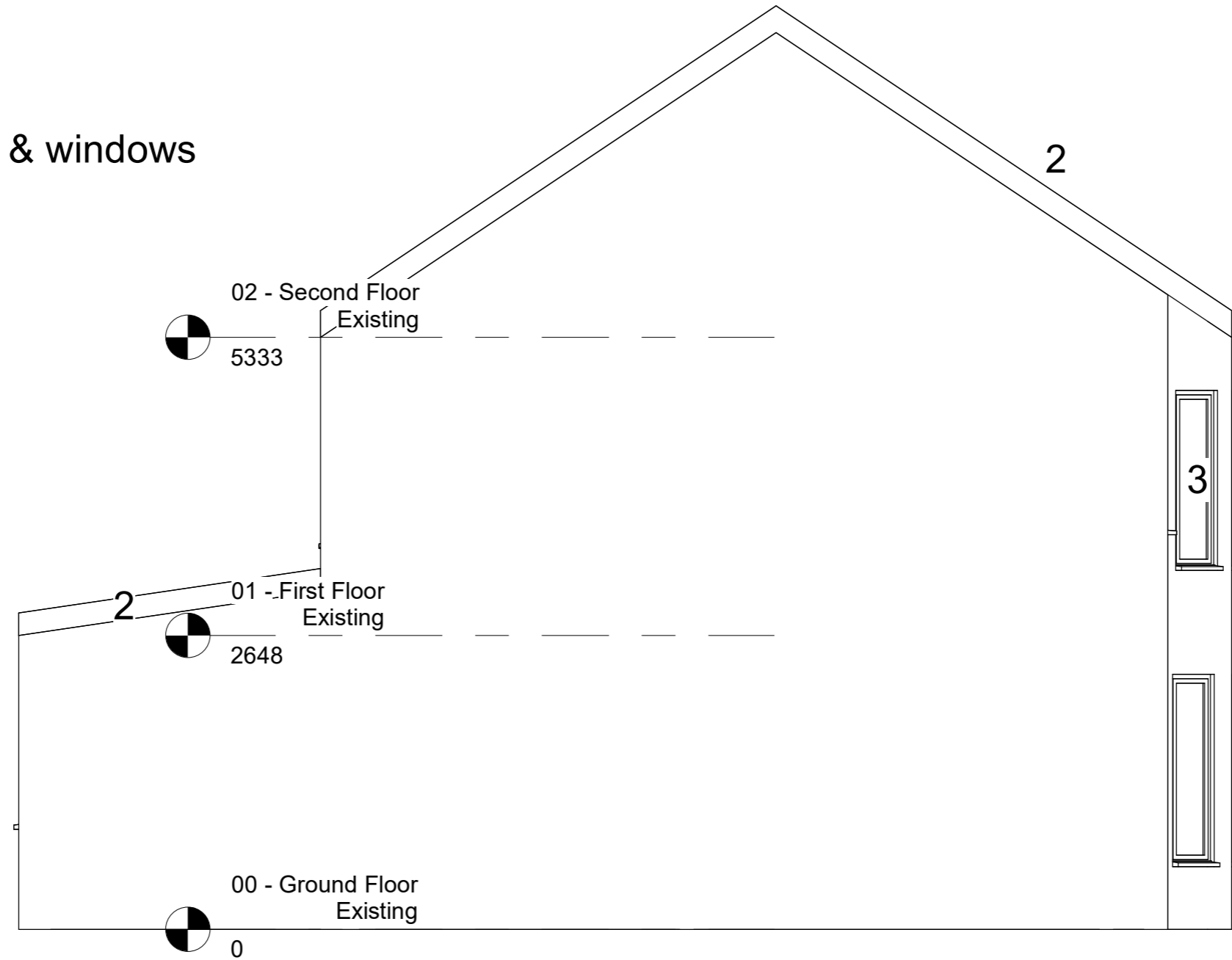
| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A120

Scale 1 : 50

Legend

- 1. Render
- 2. Pitched slate roof
- 3. White uPvc doors & windows



1 Left Elevation Existing
1 : 50

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Elevation As Existing

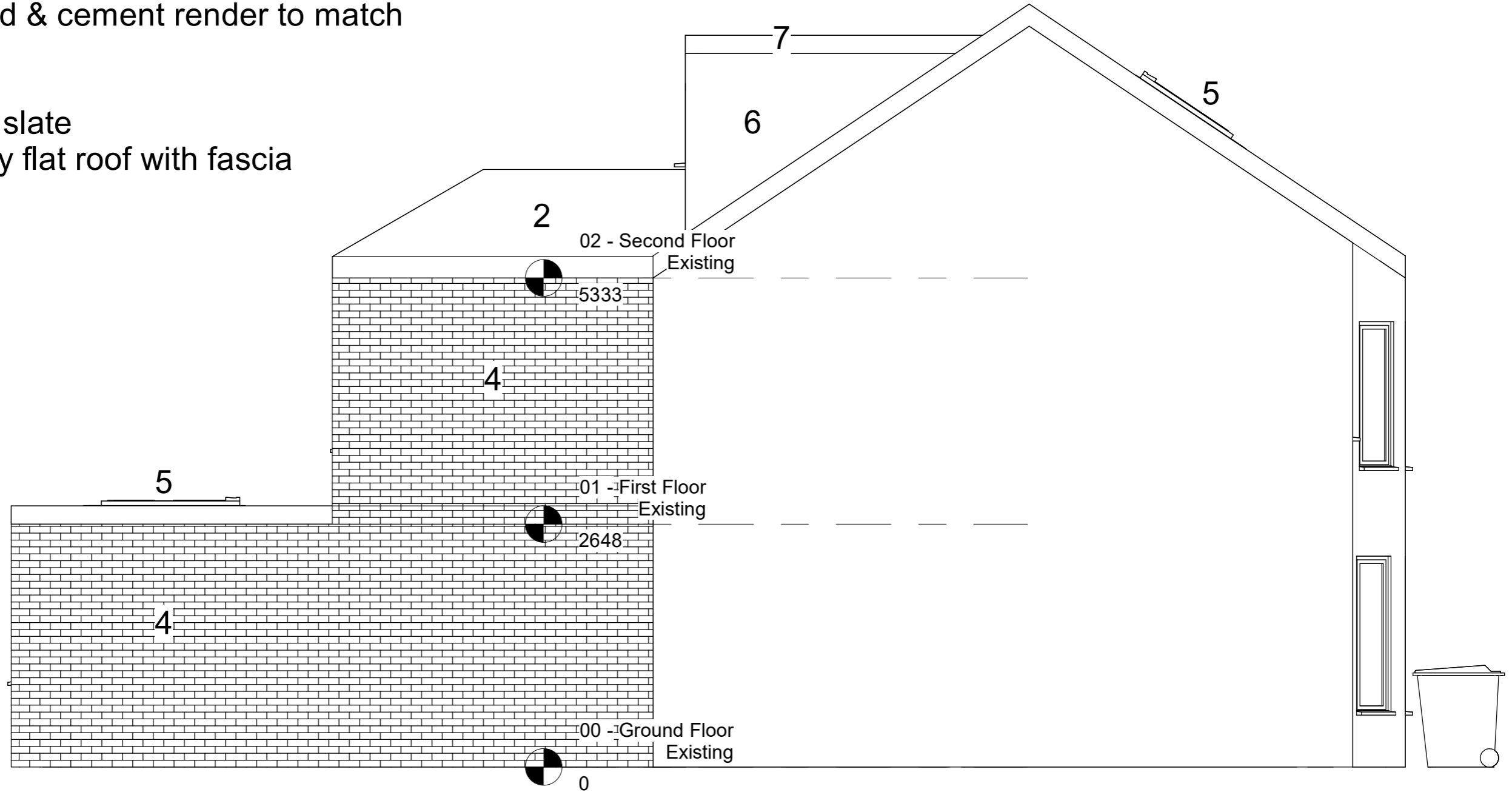
| | |
|----------------|----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | Author |
| Checked by | Checker |

A114

Scale 1 : 50

Legend

- 1. Render
- 2. Pitched slate roof
- 3. White uPvc doors & windows
- 4. New sand & cement render to match existing
- 5. Skylight
- 6. Hanging slate
- 7. Single ply flat roof with fascia



1 Left Elevation Proposed
1 : 50

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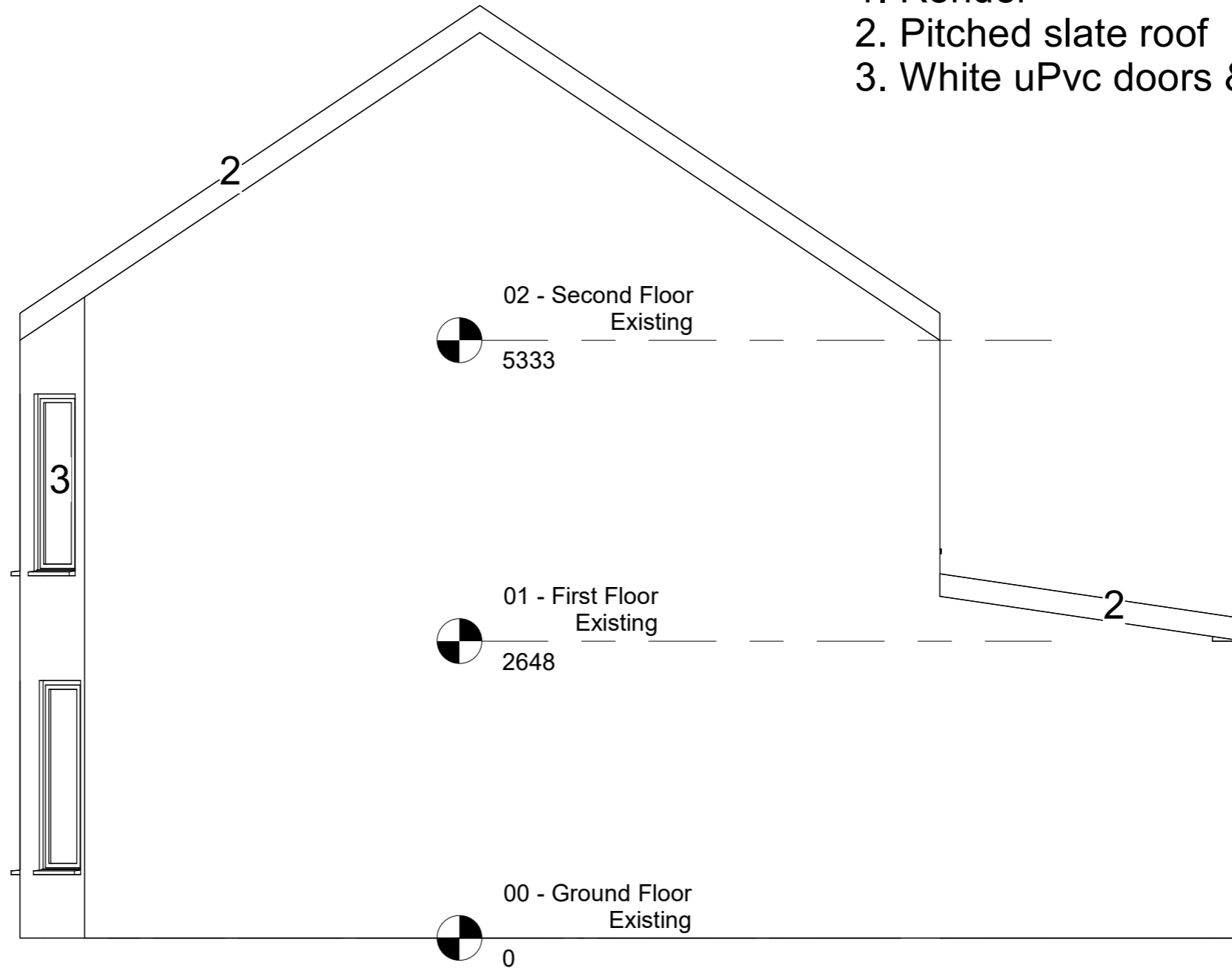
Elevation As Proposed

| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A121

Scale 1 : 50

- Legend
- 1. Render
 - 2. Pitched slate roof
 - 3. White uPvc doors & windows



1 Right Elevation Existing
1 : 50

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Elevation As Existing

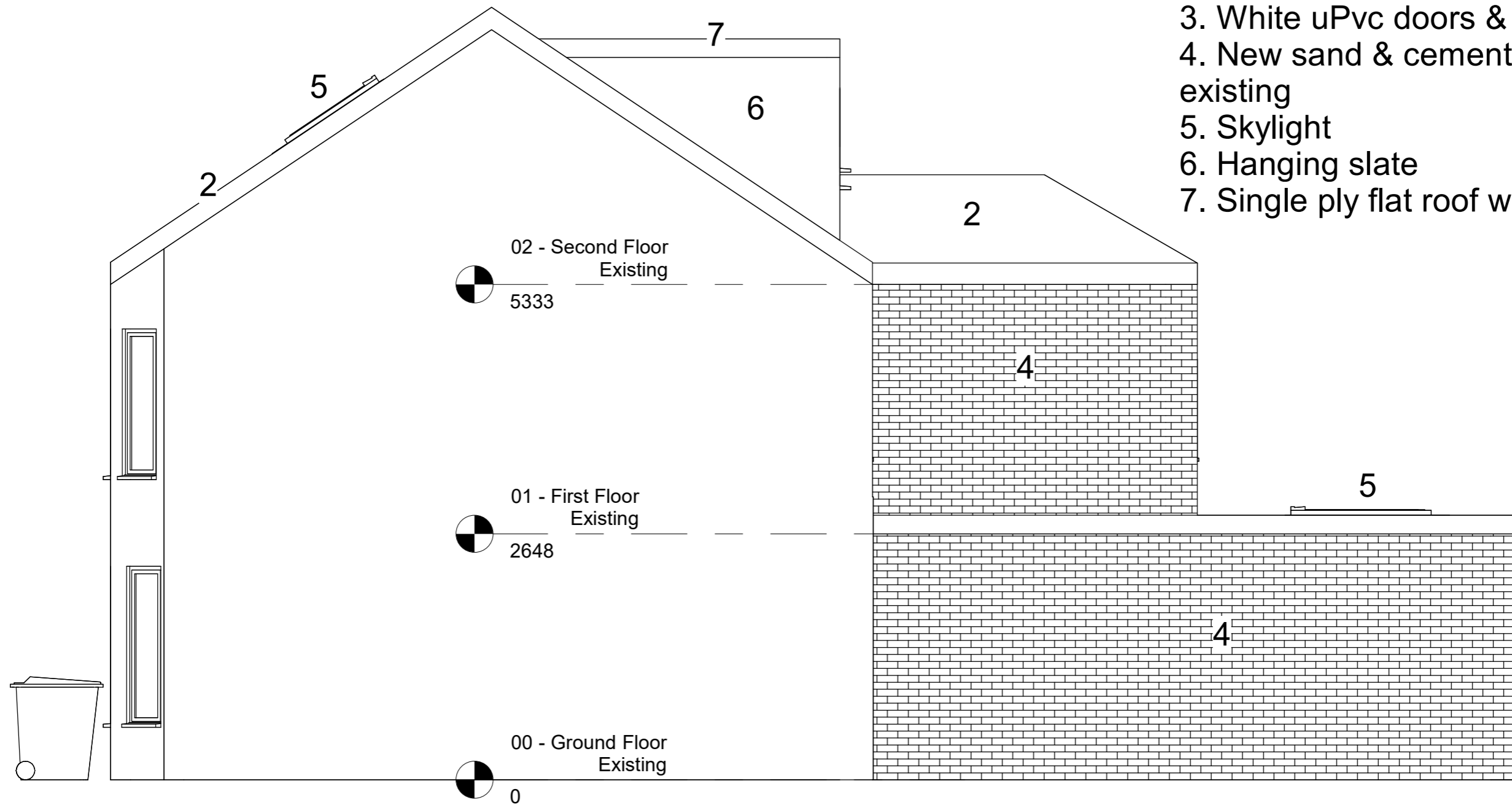
| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | Checker |

A115

Scale 1 : 50

Legend

- 1. Render
- 2. Pitched slate roof
- 3. White uPvc doors & windows
- 4. New sand & cement render to match existing
- 5. Skylight
- 6. Hanging slate
- 7. Single ply flat roof with fascia



1 Right Elevation Proposed
1 : 50

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Elevation As Proposed

| | |
|----------------|-----------|
| Project number | JP76 |
| Date | 15.04.22 |
| Drawn by | John Pinn |
| Checked by | N/A |

A122

Scale 1 : 50