

SITE AND CONTEXT

The application site is an end of terrace first floor flat, No 9 High Street, located above a shop unit currently occupied by a barber. The attic space has been converted into additional living space, and the flat is accessed externally by an entrance onto Ty'r Owen Terrace. The flat has no external amenity space, and the site is bounded on three sides by roads with Ty'r Owen Terrace to the side and rear, and High Street to the front. Opposite the property to the front is a small, grassed area with benches; to the northeast is a residential terrace; to the rear (northwest) are retaining works for the link road from the B4286 to Dan Y Coed, and to the west is the adjoining terrace of High Street with a mix of shops with flats above.

The application site is located within of the settlements boundary as defined by Policy SC1 of the NPTCBC LDP.

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use from a three-bedroom C3 dwelling to four-bedroom HMO (use class C4) at first floor and attic and the addition of solar panels to the roof of the front elevation

The existing flat consists of a lounge, kitchen, bathroom and separate WC on the first floor with three bedrooms located in the 2nd floor attic.

The proposed development would convert the first floor to three bedrooms with ensembles and a shared kitchen-diner. The second floor would be converted into the fourth room consisting of a bedroom/living area and shower room.

Subsequent to an earlier refusal (planning ref P2025/0666) part of the ground floor retail unit is proposed to be converted into a bin store and cycle store.

Subsequent to the dismissal of planning appeal A2026/0005 the internal layout has been altered to increase the internal communal amenity space.

On the south facing front elevation, an array of ten solar panels are proposed, to be located 1.3m above eaves height, set in 50cm from the eastern gable and 1m from the western gable and with a maximum height 20cm below the ridge. The panels would project 20cm above the roof plane.

NEGOTIATIONS

During the application and appeals process the number of bedrooms was reduced from 5 to 4 following concerns raised over space provision; the communal amenity space has been increased; cycle and bin storage provided on the ground floor and the layout has been altered to improve the amenity of occupants.

PLANNING HISTORY

T1982/3935 – Self Contained Flat. Approved 15/7/82

P2025/0666 - Proposed change of use from C3 dwelling to 4-bedroom HMO (use class C4) at first floor and attic and the addition of solar panels to the roof of the front elevation – Refused 17/11/25

P2025/0871 - Proposed change of use of part of a ground floor retail unit (use class A1) and C3 dwelling at first floor and attic to a 4-bedroom HMO (use class C4) and the addition of solar panels to the roof of the front elevation – Refused 26/1/26

A2026/0005 – Planning appeal against the refusal for a proposed change of use of part of a ground floor retail unit (use class A1) and C3 dwelling at first floor and attic to a 4-bedroom HMO (use class C4) and the addition of solar panels to the roof of the front elevation – Dismissed 26/6/26

CONSULTATIONS

Environmental Health – No objection subject to condition.

Head of Engineering and Transport (Highways): No objection though noted their previous concerns that were not upheld on appeal.

REPRESENTATIONS

The neighbouring properties were consulted on 13/8/26.

Two site notices were also displayed adjacent to the site on 13/8/26

To date no representations have been received.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, 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.

National Planning Policy:

Future Wales: The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. The development plan sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate resilience, developing strong ecosystems and improving the health and wellbeing of our communities.

The following policies are of particular relevance to the assessment of this application:

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 7 – Delivering Affordable Homes

Policy 8 – Flooding

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Planning Policy Wales (Edition 12, February 2024)

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 of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities. It encourages a wider, sustainable and problem-solving outlook which focuses on integrating and addressing multiple issues rather than on an approach which is fragmented, un-coordinated and deals with issues in isolation. It provides an opportunity to remove any actual or perceived problems in current approaches and stimulate and support innovative and creative ideas as well as high standards of evidence and assessment to underpin the preparation of development plans and strategies and individual proposals. Monitoring and learning from development outcomes to drive sustainable improvements in planning practice is also important.

The following guidance is of particular relevance in the assessment of this planning application:

PPW (2024) - Good Design Making Better Places (Section 3 Strategic and Spatial Choices):

Para 3.3 - Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.

Para 3.4 - Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

Para 3.8 - Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places.

Para 3.12 - Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate.

Para 3.16 - Planning authorities should through a process of negotiation seek to improve poor or average developments which are not well designed, do not take account of their context and consider their place, or do not meet the objectives of good design. Where this cannot be achieved proposals should be rejected. 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.

PPW is supported by a series of more detailed [Technical Advice Notes](#) (TANs), of which the following are of relevance: -

- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009)
- Technical Advice Note (TAN) 11: Noise
- Technical Advice Note (TAN) 12: Design (2016)
- Technical Advice Note (TAN) 15: Development and Flood Risk (2004)
- Technical Advice Note (TAN) 18: Transport (2007)

Local Planning Policies

The Local Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- | | |
|----------------------|-------------------------------|
| • Policy SP1 | Climate Change. |
| • Policy SP2 | Health. |
| • Policy SP3 | Sustainable Communities |
| • Policy SP7 | Housing Requirement |
| • Policy SP8 | Affordable Housing |
| • Policy SP15 | Biodiversity and Geodiversity |
| • Policy SP20 | Transport Network |

Topic Based Policy

- | | |
|---------------------|-------------------|
| • Policy SC1 | Settlement limits |
|---------------------|-------------------|

- **Policy AH1** Affordable Housing
- **Policy EN06** Important biodiversity and geodiversity sites.
- **Policy EN07** Important Natural Features
- **Policy TR2** Design and Access of New development
- **Policy BE1** Design

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)
- [Design](#) (July 2017)
- [Landscape & Seascape \(May 2018\)](#)
- [Biodiversity and Geodiversity \(May 2018\)](#)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents and highway safety.

Background Information

As background, it is of note that in February 2016 the Welsh Government introduced changes to the Town and Country Planning (Use Classes) Order to create a new use class for Houses of Multiple Occupation (HMO) (Class C4). The Use Class C4 in broad terms covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities, such as the proposals set out within this submission.

The change to the Use Classes Order therefore served to bring the change of use of dwellings (which fall in Class C3) to HMOs within the control of Planning Authorities by making such changes subject to planning permission. The reason for the change in the Use Class Order followed a recognition that, in some parts of the Country, the number of HMOs within an area was having an adverse impact upon the character of an area. It should be noted that large houses in multiple occupation (those with more than six people sharing) remain unclassified by the Use Classes Order and in planning terms are therefore considered to be 'sui generis'.

Having regard to the above, it is acknowledged that concentrations of HMOs can, in some instances, lead to a range of cultural, social and economic changes in a community and that high concentrations have the potential to create local issues. The Council does not, however, have any specific local Policies aimed at preventing the spread of HMOs at present. This is due largely to the absence of any significant historical issue in the area, and the introduction of the C4 Use Class post adoption of the LDP.

The proposal comprises the conversion of an existing C3 Use class dwelling benefiting from 3 No. bedrooms into a 4 No. bedroomed HMO. As such, the nature of the proposal qualifies as a C4 Use Class HMO; small, shared houses or flats occupied by between three and six unrelated individuals, as their only or main

residence. Therefore, the proposal is classified under a C4 Use Class 'Houses in multiple occupation' or 'HMO'. For the purposes of class C4, a 'house in multiple occupation' has the same meaning as in section 254 of the Housing Act 2004 and does not include a converted block of flats to which section 257 of the Housing Act 2004 applies.

Evolving Local Context

Although it is emphasised that it is not directly relevant to this Authority or its decisions, it is also of note that the City & County of Swansea (CCS) adopted its LDP in February 2019, which now includes an HMO Policy, accepted by the LDP Inspectors, and based on local background evidence, notably a report by an independent company called Lichfields.

That background evidence report, while focussing on CCS, is nevertheless of relevance insofar as it identifies the wider national context.

That report notes that: -

- HMOs represent an efficient use of building resources, where a single house can be fully utilised to provide accommodation for multiple people.
- Notwithstanding their positive contributions and important socio-economic role, areas with high densities of HMOs can also be characterised by problems with community cohesion, higher levels of noise and waste complaints, and place a strain on services.
- The positive impacts of HMOs are realised and, with rising pressures from the increased number of students, the need for affordable and flexible housing tenancies, and the changes to Housing Benefit, their role within the housing market is increasingly important.

The analysis undertaken by Lichfields identified a correlation between areas with high densities of HMOs and community cohesion issues. These negative impacts were summarised as:

1. Higher levels of transient residents, fewer long-term households and established families, leading to communities which are not balanced;
2. Isolation for the remaining family households in areas with very high concentrations of HMOs;
3. Reduction in provision of community facilities for families and children, in particular pressure on the viability of schools through falling rolls;
4. Issues of anti-social behaviour, noise, burglary and other crime;
5. Increased pressure regarding on-street parking, although this might be expected in City Centre fringe locations;
6. Reduction in the quality of the local environment and street scene as a consequence of increased litter, lack of suitable refuse storage, refuse left on the street, fly tipping, increased levels of housing disrepair in the private rented sector, and high numbers of letting signs.

As a consequence of this research, CCS now has an adopted HMO Policy in their LDP. However, the complexity of assessing whether any proposed change of use has a harmful impact on local character or community cohesion is demonstrated by the varying criterion in their Policy, which includes a requirement (outside of their HMO Management areas – these being existing areas of high HMO concentration) for any proposal not to result in more than 10% of all residential properties within a 50m radius of the proposal being HMOs, and within ‘small streets’ for a proposal to not “create a disproportionate over-concentration of HMOs within that street”. In addition to specifying % rates within designated areas, the policy also requires an assessment of whether the development would have an unacceptable adverse impact caused by noise nuisance and general disturbance.

The supporting text to their Policy is also relevant to a wider understanding of the issue, insofar as it emphasises that there is a need for future HMO provision to be managed sustainably in the interests of fostering cohesive communities, including avoiding instances of over-concentration of HMO properties to the detriment of residential amenity and community balance. These objectives are equally pertinent to consideration of this application.

It also emphasises that “National research has identified that 10% is a general ‘tipping point’ beyond which the evidence indicates that a concentration of HMOs can begin to have an adverse impact on the character and balance of a community. This tipping point is described as a threshold beyond which a community can ‘tip’ from a balanced position in terms of demographic norms and impacts, towards a demographic that is noticeably more mixed in terms of shared and family households.

Principle of Development

While it is again emphasised that the CCS Policy context described above is not directly relevant to this assessment, the approach itself is considered to have merit insofar as it is an evidence-based approach that provides a robust rationale for applying a 10% threshold for all areas outside their HMO Management Area. This does not mean, however, that anything over 10% is unacceptable or harmful as a matter of principle - given the need to still demonstrate the harm of such concentrations and the absence of a policy within NPT.

In this respect the proposed application site, is located within settlement limits and as defined by Policy SC1, “Development within settlement limits that is proportionate in scale and form to the role and function of the settlement as set out in the Settlement Hierarchy will be acceptable in principle.” As such the proposed development is considered to be acceptable in principle subject to compliance with the requirements of the above policies and Neath Port Talbot Councils supplementary planning guidance. It is important to refer to and respect the location of existing HMOs to identify the areas where the concentration is such that the council would seek to prevent development of additional HMOs.

In relation to the current proposed development, of the 2 known properties within the wider Cwmafon area that would meet the planning definition of a HMO, the closest is located approximately 210m to the west and the other approximately 550m to the northeast. As such, at this time, there would be no existing HMOs located within the 50m radius of the application site and it is therefore considered that the proposed

development does not have an adverse impact upon the character or social cohesion of the local community as a result of the proposed development.

Occupancy.

Under the Housing Act 2004, each local authority in Wales was required to set its own space and amenity standards for HMOs. Although there is some variation in amenity standards across the 22 No. Welsh Local Authorities, the room size standards are similar across most Council areas. Neath Port Talbot Council's standards for space and amenity are set out within the "NPT Amenity and Space Standards for HMOs" of the proposed size are set out below:

1. **Amenity Standards:** for a house of 4 people 1 Bathroom and 1 separate WC with wash hand basin (but the WC can be contained within a second bathroom.)
2. **Shared Houses:** Kitchen facilities should be provided in an easily accessible room for up to four people to share. No kitchen should be more than one floor away from anyone's accommodation, except where the kitchen is a kitchen/diner that is big enough for the number of people sharing, or a living room is provided one floor away from the kitchen

The space standards outlined within the 'NPT HMO Space & Amenity Standards' are also highlighted below:

Bedrooms and other habitable rooms

Floor area of room	Maximum number of people
Under 4.65 squ.m (50 square feet)	None
4.65 squ.m (50 square feet) to 6.50 squ.m (70 square feet)	to 1/2 a person (see below)
6.50 squ.m (70 square feet) to 8.36 squ.m (90 square feet)	to One person
8.36 squ. m (90 square feet) to 10.22 squ.m (110 to square feet)	to 1 1/2 people (see below)
10.22 squ.m (110 square feet) to 14.86 square metres (160 square feet)	to Two people
Over 14.86 square metres (160 square feet)	Three people
With an extra 4.65 square metres (50 square feet) for each extra person after that	

- The expression '1/2 a person' refers to a child aged between one and 10. The floor space calculation for a room, equates to the overall floor area including that covered by chimney breasts and fixed cupboards. The minimum height between the floor and ceiling should be at least 2.14 metres (7 feet) over at least threequarters of the room area, with any floor area where the ceiling height is less than 1.5 metres (5 feet) from the floor excluded from the calculation.
- For a property to be considered a 'shared house', there must be a shared room (other than a shared kitchen) for the people living there to use. This may be a kitchen and / or diner, a living room, or a dining room providing it meets the minimum requirements for floor area.

The proposed HMO provides a communal kitchen/diner with an area of 19.8m². There is no other communal space either internally or externally. Each bedroom is served by a private ensuite bathroom and an internal clothes-drying space.

The occupancy of the proposed bedrooms is as follows:

Bedroom No.	Gross Internal Area (GIA) in m ²	Maximum Occupancy (No. of persons)
01	15.3	3
02	8.4	1
03	8.35	1
04	27.5	5
Total:		10 adults

While the proposed size of the bedroom areas could accommodate a maximum of 10 adults the proposed size of the kitchen/diner would accommodate a maximum of 6 to 10 people. The Environmental Health Officer has commented that the proposed occupation of the property by a maximum of four persons, is considered acceptable having regard to the available internal amenities. Whilst there is limited external amenity space available to future occupants, the proposed occupancy level assists in reducing the overall demand placed upon the facilities within the property. As such, the officer recommended that should approval be granted, a condition be imposed to ensure that the maximum occupancy of the HMO is restricted to a maximum of four people.

PPW (Edition 12) stated:

“3.21 Planning authorities have a role to play in the prevention of physical and mental illnesses caused, or exacerbated, by pollution, disconnection of people from social activities (which contributes to loneliness) as well as the promotion of travel patterns which facilitate active lifestyles. The planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity. This will include considering the provision of, and access to, community and health assets, such as community halls, libraries, doctor’s surgeries and hospitals. Health impacts should be minimised in all instances, and particularly where new development could have an adverse impact on health, amenity and well-being. In such circumstances, where health or amenity impacts cannot be overcome satisfactorily, development should be refused.”

The importance of amenity and the wellbeing of residents is also recognised within the Council’s Supplementary Planning Guidance: Design. It states:

“4.4.8 Residential amenity has an important influence on the quality of life experienced by residents. The relationships between buildings, in terms of their height, position and the positioning of windows and other features all have an impact on the privacy of residents and neighbouring properties and the level of general residential amenity experienced.”

These statements recognise the importance of residential amenity and its contribution to the quality of life experienced by residents.

The proposed development would result in the creation of a HMO with no external amenity space whether it be for recreation or practical uses such as for outdoor clothes drying. In addition to the lack of external amenity space, the proposal limits the internal communal space to a shared kitchen/diner.

However, a similar previous application (reference: P2025/0871) was refused on amenity grounds being the lack of external amenity space, the layout and limited internal amenity and functional space. This reason for refusal was challenged at appeal and Planning and Environment Decisions Wales (PEDW) (reference: A2026/0005).

With regard to the lack of external amenity space the inspector found that:

“Due to the constrained nature of the appeal property, no outdoor amenity space is proposed. However, the proposal is for a HMO intended to accommodate largely single person households where, similar to flats, dedicated outdoor amenity space is not always an expectation for prospective occupiers. The proposal makes internal provision for functional activities such as drying washing and given its context and likely occupiers, I am therefore satisfied that the lack of dedicated outdoor amenity space would not be harmful in this case”

However, with regard to the internal communal space the inspector found that the earlier proposal would *“result in cramped, awkward spaces that would be unpleasant for occupiers to spend any significant amount of time in.”* and that *“the positioning of the communal living area would mean that occupiers of the second floor bedroom would have to regularly cross paths with those using it, in close proximity, when accessing their dedicated toilet and bathing facilities.. ..significantly limit[ing] the privacy available to occupiers of the second-floor bedroom and further reduce the usability of the communal living area as a place for residents to relax.”*

Taking the inspectors comments on board, the current proposal increases the size of the kitchen/diner on the first floor to 19.8m² and removes the communal area from the second floor making it instead part of a larger, second floor room.

The applicants planning statement proposes that the HMO accommodate four people, and it is proposed that should consent be granted a suitably condition be imposed to restrict the occupancy of the HMO to no more than four occupants. This would be in line with the inspector’s decision that *“the number of occupants could be controlled by condition as necessary.”* Restricting the number of occupants would protect the residential amenity of those occupants, particularly those in the two smaller rooms whom would have only the kitchen/dinner as a communal space.

It is therefore considered that the proposed development would accord with the guidance within the Council’s SPG: Design and Planning Policy Wales (Edition 12).

Impact on Visual Amenity

From a visual perspective, with regard to the change of use, the building would not be altered externally and is therefore considered to be in-keeping with the context of the neighbouring properties at this location. The proposed solar panels are set in form the sides of the roof and up from the eaves, and though relatively close to the ridge, given their limited projection would not give the appearance of being above the

ridge height. It is therefore considered that the proposal would not have a detrimental impact upon the character and appearance of the surrounding area would subsequently accord with Policy BE1 of the Neath Port Talbot Local Development Plan.

Impact on Residential Amenity

As previously stated, HMOs do have the potential to result in an increase in activity over and above that of a C3 residential dwelling, which is typically lived in by a single family unit or with a maximum occupancy of 6 with regard to C3(b) and C3(c) uses; particularly where the HMO has an occupancy level over the 6 residents that constitute a C4 HMO. To ensure that a proposed HMO at this property would not result in a material increase in the level of noise and disturbance from the property, it is recommended that any approval would impose a condition limiting the maximum occupancy of the property to four people.

No additional windows are proposed that would introduce any overlooking impacts on neighbouring properties. With regard to the window serving room 3, this window will now serve a bedroom rather than the previous bathroom, though the outlook from this window is onto a tree planted embankment and would not adversely overlook neighbouring properties. All other windows in the proposal would continue to serve habitable rooms.

There is no change to the overall dimensions and siting of the property and as such there is no additional adverse overshadowing or overbearing impact on nearby properties.

In light of the aforementioned information, it is not considered that the proposed use would detrimentally impact upon the residential amenity of the surrounding properties. The proposal is therefore considered to accord with Policies BE1 of the Neath Port Talbot Local Development Plan

Parking and Access Requirements and Impact on Highway Safety

The Council's Highways section has reviewed the application and has responded with the following comment in the context of the recent appeal decision :

"It is noted that the amended application contains no material changes in respect of highway matters. As such, our position remains that the proposal would result in increased parking pressure within an already constrained highway environment, together with the associated risks, which we consider would be further exacerbated by the proposed HMO."

However, having regard to the Inspector's findings in appeal CAS-04873-M3Z9G2, in which the Council's highway safety concerns were dismissed, we do not consider it reasonable to maintain a formal objection on highway safety grounds. Instead, we wish to place our concerns on record. Our position regarding the highway implications of the proposal remains unchanged and is set out in our previous appeal statement; however, rather than objecting to the application, we now submit these matters as concerns for consideration:

This statement sets out the Highway Authority's reasons for having concerns to the proposed change of use to a 4-bedroom House in Multiple Occupation (HMO) at 9 High Street, Cwmavon. The concerns are grounded in established local and national transport policy, the characteristics of the surrounding highway environment, and the anticipated impacts of intensifying occupation in a location with existing constraints.

1. Highway Environment and Site Context

1.1. The site fronts High Street, a classified B-road in Cwmavon, a small town located north-east of Port Talbot with a speed limit of 20mph, a carriageway width of 5.4m and a partial footway provision width fronting both the site and the opposite side of the carriageway of approximately 1.7m. High Street also functions as a key bus route, carrying significant volumes of through traffic and public transport movements.

1.2. The building footprint occupies the full extent of its plot, leaving no external space and no scope whatsoever for off-street parking.

1.3. Surrounding streets, including High Street/Cwmavon Road, Ty'r Owen Row – with a carriageway width of 5.9m and a footway width of 0.6m at its narrowest, and Ty'r Owen Terrace – with a carriageway width of 3.8m and a footway width of 2.5m; are subject to Traffic Regulation Orders (TROs), including prohibition of waiting. These restrictions eliminate the possibility of lawful on-street parking for prospective occupants.

1.4. The site is located within Parking Zone 4 as defined by the NPTCBC Parking Standards Supplementary Planning Guidance (SPG), an area where public transport provision is moderate and car ownership remains common, thereby increasing likely parking demand.

2. The Proposal

The application seeks permission for:

2.1 Change of use of part of a ground floor retail unit (A1) and first floor/attic residential (C3) to a 4-bedroom House in Multiple Occupation (C4), including solar panels.

This intensifies the residential occupancy of the building without providing any mitigating measures for parking, transport or servicing impacts.

3. Highway Safety Concerns

3.1 Absence of Off-Street Parking Provision

The Supporting Statement acknowledges the total absence of on-site parking but asserts: "in the unlikely event that some residents do have access to a car, this would not result in a materially different impact on the local highway network compared with the existing residential use." This assertion is unsubstantiated - the lack of off-street provision conflicts with Policy TR2 of the Local Development Plan (LDP), which requires developments to:

- avoid compromising highway safety;*
- provide appropriate parking;*
- support access by a range of travel modes.*

Given that the site is built to the extent of its boundaries, there is no possibility of accommodating parking on-site.

4. Impact on Surrounding Highway Network

Any demand for resident parking will be displaced onto nearby streets. However:

4.1. The immediate highway network is already subject to extensive TRO restrictions that remove lawful parking opportunities.

4.2. Increased indiscriminate parking by residents or visitors is highly likely.

4.3. Such indiscriminate parking would obstruct the free flow of traffic on a classified road, compromise bus operations, and increase hazards for pedestrians and cyclists.
4.4. High Street's strategic function as both a classified route and bus corridor makes it particularly sensitive to obstruction.

5. Parking Zone 4 & Likely Car Ownership

The SPG confirms that in Zone 4, public transport availability is only moderate, meaning:

- car dependency remains high;
- developments are expected to meet typical parking standards unless there is strong justification otherwise.

No such justification has been provided. Conversely, existing evidence indicates that parking pressure is already present, as demonstrated by the extent of current TROs.

6. Conflict with Local Development Plan Policy

LDP Policy SP20 and Section 5.4.1 (Transport) clearly state that authorities should: "Restrict development which would have an unacceptable impact on highway safety." The proposal conflicts with this requirement due to:

- intensified occupation without parking provision;
- increased pressure on an already constrained on-street environment;
- jeopardising the safe and efficient operation of the B-road and public transport corridor.

7. Summary and Conclusion

Based on the site constraints, local highway conditions, policies, and national guidance, the proposed HMO use at 9 High Street would:

- Provide no off-street parking, contrary to LDP Policy TR2.
- Generate additional parking demand in an area where TROs already prohibit on-street parking.
- Increase the likelihood of illegal or obstructive parking.
- Adversely impact the operation of a classified road and designated bus route.
- Result in a development that has an unacceptable impact on highway safety, contrary to LDP Section 5.4.1, SP20, TR2, and NPTCBC's SPG.

Therefore, the Highway Authority maintains its concerns

While we remain concerned about the highway safety implications of the proposal, the Inspector's dismissal of those concerns in appeal CAS-04873-M3Z9G2 means it would not be reasonable to continue objecting on those grounds alone. We have therefore raised our previous concerns to place on record."

As noted by the Highways Authority's comment, a similar previous application (reference: P2025/0871) was refused on these highways grounds and this reason for refusal was challenged at appeal and Planning and Environment Decisions Wales (PEDW) (reference: A2026/0005). The inspector found that:

"14. The Council's Parking Standards SPG (2016) (PSSPG) does not specifically address HMOs, but both parties suggest that the proposal, whether occupied by 4 or 5 people, would generate a requirement for 3 off-street parking spaces, the same as the existing flat. Given the proposal's comparability to similar types of development covered by the PSSPG, I see no reason to disagree.

15. The appeal property does not benefit from any off-street parking. However, whilst I note the PSSPG places it within 'Zone 4', the appeal property is nonetheless within walking distance of a good range of local facilities, nearby public transport links and National Cycle Network routes to the wider area. Its location is therefore sustainable in my view, and future occupiers would not be reliant upon private vehicles to meet their everyday needs.

16. On-street parking close to the appeal property is restricted due to the presence of extensive double yellow lines. Many properties around the junction of High Street, Ty'r Owen Row and Old Market Place and nearby do not benefit from off-street parking and there is a resulting degree of parking pressure in the immediate vicinity.

17. Nonetheless, although I appreciate that demand can fluctuate during the day, at the time of my site visit there were multiple unrestricted spaces available a short distance further along High Street to the west and along the length of Tabernacle Terrace, which can be accessed via steps close to the appeal property's entrance. I have no substantive evidence such as parking surveys to challenge my observations.

18. I accept that the proposal may result in a small increase in occupiers compared with the existing flat and that HMO residents may be less likely to coordinate parking arrangements than a single household.

19. However, the proposal's sustainable location close to shops and facilities would make the development attractive to non-car owning households and it would incorporate bicycle storage to encourage cycling. A lack of dedicated parking would also be likely to deter car-owning occupants to some degree. Given these factors, I consider that car ownership amongst occupiers of the proposed HMO would be comparable to that of the existing flat.

20. I am therefore satisfied that any additional on-street parking demand arising from the proposal, should it occur, is likely to be limited and would not lead to any significant additional parking pressures in the locality or compromise the safe, effective and efficient use of the highway. The proposal complies with LDP policies SP 20 and TR 2"

It should be noted that the inspector's comments were made on the HMO being occupied by 4 or 5 people. Looking also at the amenity concerns above, it is further proposed that a condition be imposed on any consent granted that the occupancy of the HMO be limited to no more than four people as proposed by the applicant, limiting the highways impacts to those considered by the inspector.

Though the Highways Authority maintains its concerns with the proposal, it defers to the inspector's appeal decision and as such it is considered that the proposal would be acceptable in terms of highway and pedestrian safety. The development would therefore accord with Policies SP20 and TR2 of the Neath Port Talbot Local Development Plan.

Biodiversity / Ecology

As identified above, Policies EN6 and EN7 of the Local Development Plan will be of relevance insofar as there is a need to ensure any impacts on biodiversity/ natural features are appropriately assessed and, where applicable, mitigated.

Planning Policy Wales (PPW) 12 sets out that;

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15 of PPW 12) has been applied.

A green infrastructure statement was submitted stating the development will provide a bat box to be affixed at below ridge height on the side elevation which will be secured by a suitably worded condition should the proposal be approved.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity, neighbour amenity, parking and highway safety and biodiversity. Accordingly, the proposed development is in accordance with Policies SP3 (Sustainable Communities), SP7 (Housing Requirement), SP8 (Affordable Housing), SP15 (Biodiversity and Geodiversity), SP20 (Transport Network), SC1 (Settlement Limits), AH1 (Affordable Housing), TR2 (Design and Access of New Development) and BE1 (Design) of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

