



Appeal Decision

By Helen Smith BA (Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 29/01/2026

Appeal reference: CAS-04374-T6Y0J9

Site address: 15 Bethel Street, Briton Ferry, Neath Port Talbot, SA11 2HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Francis Allareba against the decision of Neath Port Talbot County Borough Council.
 - The application Ref P2025/0036, dated 17 January 2025, was refused by notice dated 27 March 2025.
 - The development proposed is change of use from single dwelling Class C3 to 5 bedroom HMO Class C4 and construction of single storey rear extension.
 - A site visit was made on 3 November 2025.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from single dwelling Class C3 to 5 bedroom HMO Class C4 and construction of single storey rear extension at 15 Bethel Street, Briton Ferry, Neath Port Talbot, SA11 2HQ, in accordance with the terms of the application, Ref P2025/0036, dated 17 January 2025, subject to the conditions set out in the schedule to this decision letter.

Main Issue

2. The Council has not raised concerns relating to any impacts of the proposed single storey rear extension. I have no reason to disagree. The main issue is the effect of the proposed development on highway and pedestrian safety, having particular regard to on-street parking.

Reasons

3. The appeal property is an existing 3 bedroom dwelling with a small integral garage located within a predominantly residential area, with the exception of 2 public houses. The proposal is for a 5 bedroom house in multiple occupation (HMO) in the C4 use class. Parking close to the appeal property is limited largely to on-street spaces comprising a mix of residents permit parking and unrestricted parking. There are parking restrictions comprising H bars across existing accesses on Bethel Street, and other parking restrictions on surrounding streets.

4. The paved area directly to the front of the property appears to be used as an informal parking area. However, this is outside of the appeal site and within the adopted highway. It therefore does not form part of the appeal property's off-street parking. As the internal dimensions of the existing integral garage fall short of the standards set out in the Council's Parking Standards Supplementary Planning Guidance (SPG), it would be unlikely to be utilised for that purpose. Consequently, the existing dwelling has no adequate dedicated off-street parking provision.
5. The Council states that, in accordance with the SPG, the existing dwelling should have 3 off-street parking spaces and, as none is provided, there is a current shortfall of 3 spaces. It contends that this has resulted in congestion on the highway, including on the footway. However, at the time of my site visit, on a weekday at midday, there were multiple on-street parking spaces available close to the appeal property, comprising both residents parking and unrestricted parking. The appellant's Parking Survey was undertaken over a period of 8 days, earlier in the morning and later in the evening than my site visit, when it is likely that demand for resident's parking would be at its highest. The survey shows similar parking conditions to that which I observed. I accept that demand will fluctuate during the day, particularly when the nearby pubs would be open. Nevertheless, notwithstanding the photographs submitted by the Highway Authority, I have no compelling evidence to suggest that the locality experiences significant or continuous parking pressures. Furthermore, as suggested by the Highway Authority, any parking causing obstruction of the footway or in restricted areas can be controlled through highway legislation.
6. The Council accepts that the proposed development would have a similar car parking requirement to that of the existing C3 dwelling and that car ownership would likely be low. Nonetheless, it contends that as the proposed occupiers of the HMO would not have an established relationship, unlike occupiers of a C3 dwelling, the proposal would operate differently from the existing use. In this respect, it is argued that occupiers of the HMO would not have a "coordinated" approach to parking on the street, which would prevent the efficient use of the existing on-street parking. However, how such a "coordinated" approach to on-street parking would result in its efficient use has not been substantiated.
7. Furthermore, in my experience, residents of dwellings that rely solely on on-street parking are likely to park in the nearest available parking space. Given the independent nature of the prospective residents, I accept that the proposed HMO may give rise to more frequent vehicle movements than the existing dwelling, but I have little to suggest that such change would be significant. In the absence of any compelling evidence to the contrary, I am not persuaded that residents of the proposed HMO would use the available on-street parking in a significantly different manner to residents of the existing dwelling.
8. Furthermore, the appeal property is well served by public transport and is within a reasonable walking distance to some facilities. Adequate cycle parking would also be provided. Whilst the lack of car ownership could not be guaranteed, given the above, the HMO would likely particularly appeal to those without access to a private vehicle.
9. As a consequence of these factors, the proposed HMO would not result in a significant intensification of the use of the property and would not result in any significant increase or difference in pressures for on-street vehicle parking relative to the current dwelling. As such, it would not materially exacerbate any existing operational deficiencies of the highway network in this regard. Therefore, it would not result in a significant increase in conflict or indiscriminate on-street parking and would not lead to any material increase in risk to highway or pedestrian safety.

10. The Council have drawn my attention to a previous appeal at the appeal property for the change of use of the dwelling to 2 self-contained flats and a 4 bed HMO (Ref: APP/Y6930/A/20/3247197). However, in that case the Inspector concluded that the proposed development would increase the demand for parking significantly over and above the existing situation. I do not consider the circumstances to be the same and have considered the appeal on its own merits.
11. I conclude that the proposed development would not cause significant harm to highway and pedestrian safety, and complies with the objectives of Policy TR 2 of the Neath Port Talbot County Borough Council Local Development Plan, which seeks to, amongst other things, ensure that development does not compromise the safe, effective and efficient use of the highway network and does not have an adverse impact on highway safety.

Other Matters

12. I note the local representations in relation to the potential impact on the community. However, I have no cogent evidence that there are any other HMO's in the immediate vicinity of the appeal property or any evidence to suggest that the proposal would adversely affect the social cohesion of the community or existing businesses. There is no evidence to suggest that the presence of a HMO would pose a risk to the safety and well-being of children using the nearby walking routes to school or that it would negatively impact any vulnerable residents. I have had regard to resident's concerns regarding the potential for anti-social behaviour/security issues. However, whilst fear of crime or perceived fears can be a material consideration, these fears need to be justified objectively. In this case, I have no cogent evidence to support local concerns. Similarly, Welsh Water Dŵr Cymru have not raised any issues relating to foul drainage of the proposed development.

Conditions

13. As a C4 use would enable the HMO to be occupied by up to 6 residents, in its Questionnaire and Officer Report, the Council suggests that the HMO should be limited to 5 residents. Although no concerns have been raised relating to the amount or quality of the proposed living and bedroom accommodation to serve a C4 HMO, the Council considers that such a restriction is necessary to ensure that the proposed Flooding Safe Refuge is an appropriate size for the number of occupants of the ground floor bedrooms. The appellant has not disputed the suggested condition. In these circumstances, I agree and consider such a condition necessary and reasonable.
14. I have considered the Council's other suggested conditions and in the interest of clarity, I have amended the wording of some of them without changing their overall aim.

Conclusion

15. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be allowed.
16. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

H Smith

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development shall begin not later than five years from the date of this decision.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2) The development shall be carried out in accordance with the following approved plans and documents:
A104 REV D (Proposed Floor Plans);
A105 REV D (Proposed Elevations);
A106 REV D (Proposed Site Plan);
Green Infrastructure Statement; and
00396AB 15 Bethel Street Level 3 Flood Consequence Assessment, April 2024.
Reason: To ensure the development is carried out in accordance with the approved plans and documents submitted with the application.
- 3) The use of the HMO hereby approved shall be limited to a maximum of 5 residents occupying the HMO at any one time.
Reason: To ensure adequate Flooding Safe Refuge facilities, in accordance with Policy BE 1 of the Neath Port Talbot County Borough Council Local Development Plan.
- 4) No development shall take place until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.
- 5) Prior to the use of the HMO, the flood refuge room shall be provided in accordance with the details shown on Drawing No. A104 REV D and shall be available for its intended use at all times and retained as such for as long as the development exists.
Reason: In the interest of the residential amenity and safety of occupants of the dwelling, in accordance with Policy BE 1 of the Neath Port Talbot County Borough Council Local Development Plan.
- 6) Prior to the use of the HMO, the bin and cycle storage shall be provided in accordance with the details shown on Drawing No. A104 REV D and shall be retained as such for as long as the development exists.
Reason: In the interest of highway and pedestrian safety and the amenity of residents, in accordance with Policies BE 1 and TR 2 of the Neath Port Talbot County Borough Council Local Development Plan.
- 7) The materials to be used in the construction of the external surfaces of the single storey rear extension shall match those used in the existing building.
Reason: In the interest of the character and appearance of the area, in accordance with Policy BE 1 of the Neath Port Talbot County Borough Council Local Development Plan.