# Swansea letting agency loses appeal to operate Bryn Road property as house of multiple occupation



Swan Sales and Lettings, a letting agency in Swansea, has faced an unsuccessful appeal regarding the use of a property on Bryn Road as a house of multiple occupation (HMO). In May of last year, Swansea Council issued an enforcement notice indicating that the agency was operating the residential property without the necessary planning permission, as it had allegedly changed its use to accommodate eight individuals, contrary to the approved residential status.

The council’s enforcement officers noted that this unauthorised usage was detrimental to the living conditions of the property. Reports suggested that two of the bedrooms lacked adequate natural light and outlook, and the concentration of occupants posed issues related to road safety and parking in the area. The enforcement officers mandated that Swan Sales and Lettings cease using the property as an HMO within three months.

In response to the enforcement order, Swan Sales and Lettings filed an appeal, asserting that the property was being marketed as a short-term Airbnb rental, despite the presence of a "student let" sign prominently displayed above the front door. The claim of operating as an Airbnb was under scrutiny, as no substantial evidence, such as invoices, property listings, or customer reviews, was provided to uphold this assertion.

In March of this year, Richard Jenkins, a planning inspector appointed by the Welsh Government, visited the Bryn Road property to assess the situation. Upon inspection, Jenkins confirmed that the property was fully furnished and suitable for short-term lettings. However, he remarked upon the absence of compelling evidence demonstrating that the property was functioning as an Airbnb at the time the enforcement notice was issued. He reiterated the council's claims that eight individuals had been residing at the property, reportedly as a temporary arrangement to facilitate renovations at their previous dwelling.

Jenkins stated, "I have no reason to seriously doubt the council's position, having particular regard to a 'distinct lack of evidence' from the appellants." This statement underscores the limited documentation provided by the agency to support its case, which ultimately contributed to the dismissal of the appeal.

The area surrounding Bryn Road has a significant number of HMOs, primarily catering to students due to its proximity to Swansea University's Singleton Campus and the local beach. Prior to the enforcement action, Swan Sales and Lettings had applied to convert the property for use as an HMO, citing its poor condition and lack of mortgage viability. The agency argued that converting the property to an HMO would generate significantly higher income compared to residential letting.

In its planning statement, Swan Sales and Lettings indicated that the property had been acquired for £230,000, with estimated renovation costs of around £200,000. The proposed conversion to an HMO was projected to yield approximately £35,000 annually in rental income, contrasting sharply with an estimated £10,000 for traditional residential letting.

However, the application faced challenges as local regulations stipulate that no more than 25% of properties within a 50-metre radius can be classified as HMOs. Council planning officers reported that approving the HMO application would result in a concentration exceeding 35%, ultimately leading to the rejection of the application after a series of appeals.

In another related development, across the street from the disputed property, the owners of a former guesthouse recently succeeded in a separate planning appeal to convert their establishment into four flats with rear balconies, marking a different outcome in the ongoing planning dynamics within the area. The council had initially denied this application on the grounds of inadequate parking, highlighting the multifaceted challenges surrounding property development and planning regulations in the vicinity.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.swansea.gov.uk/planningappeals> - This page outlines the planning appeals process in Swansea, including rights to appeal enforcement notices, which is relevant to Swan Sales and Lettings' unsuccessful appeal regarding the use of a property on Bryn Road as an HMO.
2. <https://www.swansea.gov.uk/approvedHMOplanningapplications> - This list provides details of properties in Swansea that have been granted planning permission to operate as HMOs, offering context to the planning regulations and approvals related to Swan Sales and Lettings' property.
3. <https://www.walesonline.co.uk/news/wales-news/swansea-students-news-planning-hmos-16875294> - This article discusses Swansea's planning measures to limit the spread of HMOs, including the 25% limit within a 50-meter radius in areas like Brynmill, which is pertinent to the council's enforcement action against Swan Sales and Lettings.
4. <https://www.inyourarea.co.uk/news/swansea-planning-applications-week-ending-december-5> - This news piece lists recent planning applications in Swansea, including a change of use of a six-bed HMO to a seven-person HMO at 139 Bryn Road, Brynmill, Swansea, providing insight into local HMO planning activities.
5. <https://www.inyourarea.co.uk/news/swansea-planning-applications-week-ending-april-25> - This article details planning applications in Swansea, such as the retention of change of use of HMO for up to 6 people to a HMO for up to 7 people at 138 Bryn Road, Brynmill, Swansea, highlighting local HMO developments.
6. <https://www.zoopla.co.uk/find-agents/branch/swan-sales-and-lettings-swansea-67008> - This Zoopla listing provides information about Swan Sales & Lettings, including their specialization in student accommodation and commercial lettings in Swansea, offering context to their operations and the enforcement action taken against them.
7. <https://news.google.com/rss/articles/CBMikgFBVV95cUxPZ1hZVmljVFRHQVBZY3RlNWU5akQxRjVhUWZ0cUZXbHdRM21qRE9mZnFHTHNMUk44Mk5QRzVUb3NzcUZidGxMc0RXSjRiNm1QZVBpRmsxU2p5bHFYSWhUTHQ5VGxXTW1UdklER0ZpakpCUFRkNjFmT2FIYnl4M0p0MHR3cVNLMENMRlV1SmJuOVJPQdIBlwFBVV95cUxQNVcwUWVVOGFReFZreUpxQlFfbWtOSlo1X2RoalVqSUVwNEUwNm1LbTNXbXM3SGdhenZXRjhzdW9RYVRvbTczZjRUckZPRnNhOGtTS3R2MGZmb1ZjVG0zRmNRT0lHbGdXaGVzUl9YTkJDSUdGQXBVNXFwSzZ6c3FZZHlKMExNMlB5aU5uNlJ0X2VNaGhtanVZ?oc=5&hl=en-US&gl=US&ceid=US:en> - Please view link - unable to able to access data