



Appeal Decision

by G Hall BSc (Hons) DipTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 18/07/2025

Appeal reference: CAS-04169-J4Z9D3

Site address: 2 Llewellyn Street, Merthyr Tydfil CF47 8SR

- 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 Craig Davies (MAINTY Group Consulting LTD) against the decision of Merthyr Tydfil County Borough Council.
 - The application Ref P/24/0201, dated 20 August 2024, was refused by notice dated 16 January 2025.
 - The development proposed is change of use from a C3 dwelling house to a C4 house in multiple occupancy (HMO) (4 bedrooms and 2 bathrooms).
 - A site visit was made on 26 June 2025.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from a C3 dwelling house to a C4 house in multiple occupancy (HMO) (4 bedrooms and 2 bathrooms) at 2 Llewellyn Street, Merthyr Tydfil CF47 8SR, in accordance with the terms of the application, Ref P/24/0201, dated 20 August 2024, subject to the conditions set out in the schedule to this decision letter.

Application for costs

2. An application for costs has been made by Mr Craig Davies (MAINTY Group Consulting LTD) against Merthyr Tydfil County Borough Council. This application is the subject of a separate Decision.

Main Issues

3. These are the effects of the proposed development on the character of the area, and on highway safety.

Reasons

Character of the area

4. The appeal property is a two-storey mid-terrace two-bedroom dwelling, situated in a predominantly residential area. Nearby dwellings are of a similar age and appearance. The appeal property also benefits from private amenity space to the rear.
5. The appeal concerns a change of use to a Class C4 HMO within an area defined by its residential character. HMOs form a recognised and long-standing part of the housing market, offering accommodation for individuals whose needs may not be met by more

conventional housing types. While I acknowledge concerns that HMOs can, in some cases, give rise to more transient patterns of occupation with potential effects on community cohesion, there is nothing before me to show that this would be the case here. Furthermore, no substantive evidence has been provided to show that this proposal would result in an over-concentration of HMOs locally, or that it would materially alter the established character of the street. I therefore consider that the proposed use would remain in keeping with the residential character of the area.

6. Reference has been made to incidents linked to other HMOs elsewhere in Merthyr Tydfil. However, such examples carry limited weight in the absence of site-specific evidence demonstrating that the proposed Class C4 use would inherently lead to antisocial behaviour or pose a risk to community safety. There is nothing before me to indicate that the proposed use would be incompatible with its residential surroundings, and I note that the South Wales Police Designing Out Crime Officer raised no objection to the scheme.
7. I have taken into account the personal circumstances of local residents. These include the presence of elderly and young people living in the area. The Human Rights Act 1998 enshrines into UK law most of the fundamental rights contained in the European Convention on Human Rights, including Article 8 which concerns the right for private and family life and the home to be respected, together with Article 1 of the First Protocol relating to the protection of property. I have also had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 and have considered the impact of allowing the appeal on neighbouring residents.
8. I acknowledge that concerns about personal safety and mental wellbeing can amount to material considerations. However, such concerns must be supported by robust evidence. In this case, no substantive evidence has been presented to demonstrate that the proposed use would materially harm the living conditions of neighbouring residents or undermine their ability to continue enjoying their homes.
9. Taking all of the above into account, I consider the proposal to be acceptable in terms of its character and relationship with the surrounding area. It would comply with Policy SW11 criteria 1, 2, 3, 6, and 12 of the Merthyr Tydfil Local Development Plan (LDP), which require that development is appropriate to its local context, integrates effectively with the public realm, does not result in an unacceptable impact on local amenity, provides a mix of housing types, and reduces the opportunity for crime and anti-social behaviour. The appeal proposal would also not give rise to conflict with relevant human rights or equality legislation.

Highway Safety

10. The appeal property does not benefit from any off-street parking. However, it occupies a sustainable location within walking distance of shops and services on Brecon Road and is close to public transport links. At the time of my weekday morning visit, parking spaces were available in the vicinity of the appeal property. While I acknowledge that parking demand may vary at different times of the day and week, there is no substantive evidence before me, such as parking surveys, to demonstrate that the area experiences significant or sustained parking stress.
11. I am aware of a recent trial street closure linked to a nearby school, intended to improve safety for children and pedestrians. While this highlights broader traffic management issues in the area, the appeal must be determined on its own merits. The existing lawful use of the property as a two-bedroom dwelling already gives rise to a level of parking demand. The Highway Authority, having considered the proposal against adopted parking standards, has raised no objection and does not consider that the increase in bedrooms would result in an unacceptable impact on the local highway network.

12. The appeal proposal comprises modest accommodation likely to appeal to younger or lower-income occupiers, who are typically less reliant on private vehicles. Its accessible location, within walking distance of shops and public transport, would reduce reliance on private car use. Based on the evidence before me, I am satisfied that any increase in on-street parking demand would be limited and would not place undue pressure on the local parking network having regard to the existing C3 use.
13. I acknowledge residents' concerns about missed refuse collections due to parked vehicles in the area. While such matters can be inconvenient, there is no substantive evidence to indicate that on-street parking is causing significant highway safety issues, or that the appeal proposal would materially worsen the current situation.
14. For these reasons, I find that the development would not result in harm to highway safety. It would accord with Policy SW11 criterion 5 of the LDP, which requires new development to demonstrate that traffic movements would not have an unacceptable impact on local amenity or highway safety and would satisfy the Council's parking standards.

Other Matters and Conclusion

15. I acknowledge concerns about the loss of a small family home, but no evidence has been provided to show a specific local need for this type of accommodation or that the appeal scheme would significantly affect the area's housing mix. I therefore attach limited weight to this concern. Comments about community engagement fall outside the scope of this appeal and do not affect my assessment.
16. There is no substantive evidence that the proposal would harm neighbours' privacy or pose an unacceptable fire risk. While some concerns have been raised, no technical evidence has been submitted to demonstrate that the likely level of occupation would create undue safety or noise issues.
17. Each bedroom would benefit from natural light, ventilation, and a reasonable outlook. The rooms appear adequately sized for normal domestic use, and the shared kitchen and bathrooms would provide sufficient facilities for the future occupants. The rear garden, though modest, can accommodate key outdoor functions such as refuse storage, cycle parking, and clothes drying. Such arrangements are typical of terraced properties in urban areas and would be consistent with the established pattern of development in the area.
18. Although the appellant's Green Infrastructure Statement concludes that no measures are necessary, the change of use still offers an opportunity for proportionate enhancements. In line with the Council's recommendation, I have therefore imposed a condition requiring the submission and approval of a suitable green infrastructure scheme.
19. For the above reasons and having regard to all matters raised, I conclude that the appeal should be allowed.
20. 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.

G Hall

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development shall begin not later than five years from the date of this decision.

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

- 2) The development shall be carried out in accordance with the following approved plans:

- Site Plan 20 August 2024
- Dwg No. 670104 (Ground Existing and Proposed)
- Dwg No. 670104 (First Existing and Proposed)
- Dwg No. 670104 (Side Elevation Proposed)
- Dwg No. 670104 (Rear Proposed)
- Dwg No. 670104 (Front Elev Existing and Proposed)

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

- 3) Prior to the commencement of development full details of a scheme for biodiversity enhancement shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9.