

| | |
|-----------------------|-------------------------|
| DATE WRITTEN | 23rd September 2025 |
| REPORT AUTHOR | Judith Jones |
| CASE OFFICER | Kate Glover |
| COMMITTEE | Planning and Regulatory |
| COMMITTEE DATE | 1st October 2025 |

Application No.
P/25/0231

Date
22nd August 2025

Determining Authority
MTCBC

Proposed Development

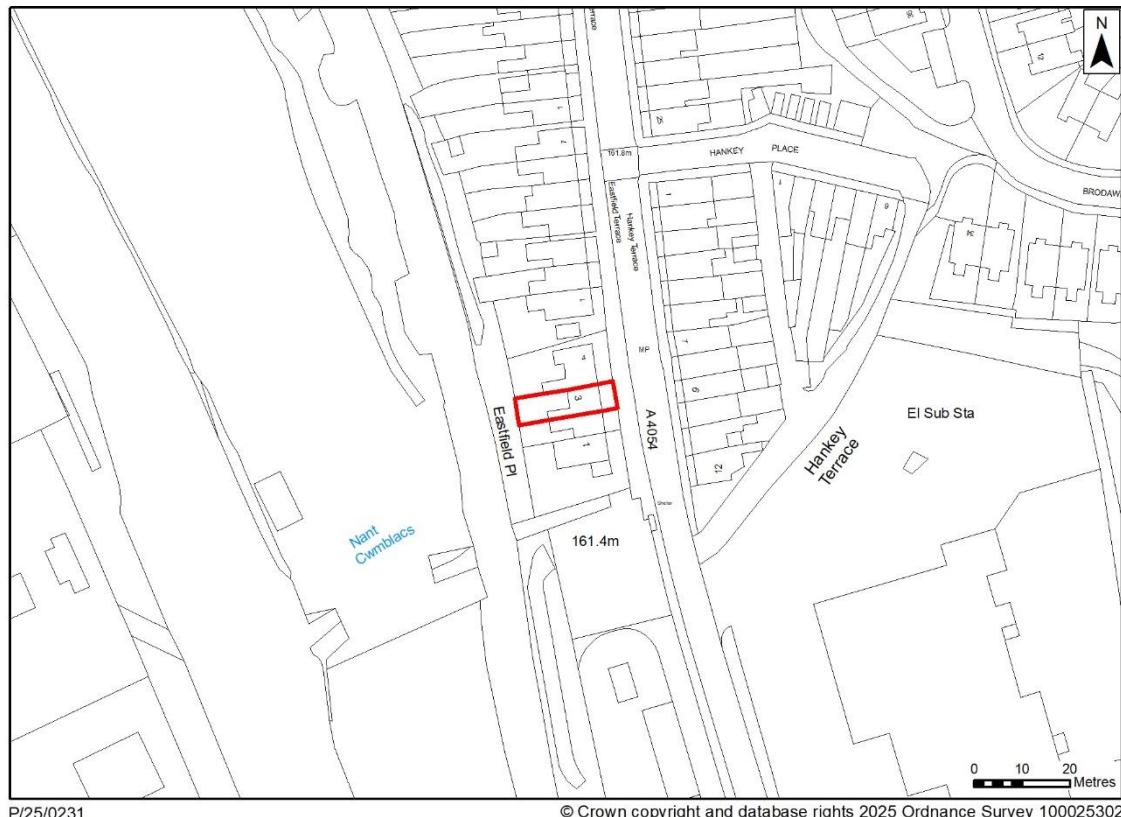
Change of use from 3 bedroom dwelling (C3 use) to a 4 bedroom House of Multiple Occupation (HMO) (C4 use class)

Location

3 Eastfield Place
Plymouth Street
Merthyr Tydfil
CF47 0UP

Name & Address of Applicant/Agent

Mr Rahim Bah
c/o Mr Husam Sami
CCS Solutions Ltd
39 Tan Y Lan Terrace
Morriston
Swansea



Councillor Julia Jenkins has requested that the application be considered by the planning committee to deliberate on the concerns raised by local residents, which include the impact the proposal would have on parking availability, the character of the area and waste management.

APPLICATION SITE

The application site relates to an existing mid terrace dwelling, 3 Eastfield Place, located on Plymouth Street, in Merthyr Town Ward. The property, which is elevated above the level of the road, is served by an open elevated area to the front and a small enclosed private courtyard/garden to the rear, which backs onto the railway line. Unrestricted on-street parking is provided along Plymouth Street.

PROPOSED DEVELOPMENT

This application seeks full planning permission to change the use of the property from a 3 bedroom residential dwelling (C3 Use Class) to a 4 bedroom House of Multiple Occupation (HMO) (C4 Use Class).

There are no external alterations proposed to the property. However, there are internal alterations proposed to accommodate the change of use, which would include the repositioning of the partition wall to increase the size of the living/kitchen area, the existing ground floor lounge would be utilised as an additional bedroom and the existing utility room would be used as a dining room. At first floor the existing 3 bedrooms would remain unchanged. The proposal includes the provision of cycle storage via an outbuilding which would measure approximately 2m deep, 2m wide and 1.57m high.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

CONSULTATION

The following bodies were consulted and their responses are presented below:

| | |
|--------------------------------------|--------------------------------------|
| Head of Engineering & Highways: | No objection. |
| Planning Ecologist: | No objection. |
| Environmental Health Manager: | No objection, subject to conditions. |
| Planning Policy Officer: | No objection. |
| South Wales Fire and Rescue Service: | No objection. |
| South Wales Police: | No objection. |

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties on 28.08.2025 and a site notice was displayed within the vicinity of the site on 03.09.2025.

At the time of writing this report, as a result of this publicity exercise, 1 letter of support and 122 letters of objection have been received. Committee shall be further advised verbally of any representations received.

Whilst it is acknowledged that a letter of support was received, the response does not include any details setting out the reasons for supporting the proposal. In regard to the objections, below is a summary of the concerns that have been raised:

- The surrounding area is made up of many family homes with young children as well as elderly and other vulnerable individuals of all ages, and this proposal would make it unsafe for them.
- The development would have an impact on the value of surrounding dwellings.
- The site has limited on-site parking and the surrounding streets have insufficient parking for existing residents, resulting in congestion.
- HMOs should be placed in town centres rather than outskirts.
- The HMO would sit in very close proximity to a children's park, nursery and schools.
- There are concerns that the future residents of the HMO would give rise to anti-social behaviour, increased noise levels, general disturbances and crime in the area.
- Precedent of the previous refusal of 2 Llewellyn Street should be used as there is clearly highway and character concerns for this type of development.
- The additional residents will put a strain on the local GP services.
- HMO should be built elsewhere.
- No need for more HMOs in and around Merthyr Tydfil.
- HMOs often result in higher tenant turnover which can undermine the sense of stability and cohesion among long-term residents.
- There is no rear access for bin and recycling storage/collection.
- Houses should be for families.
- The council should not be proposing this.
- The property is being used as an AirBnB and already in a state of disrepair with rubbish left and garden overgrown with antisocial visitors.
- The fire Brigade have issues that there is not an adequate water supply for firefighting.
- Would not object if the property was owned by a housing association for local people.
- House would need to be monitored and supervised.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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 well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024) must be taken into considerations. Relevant sections are identified below:

- Paragraphs 3.3 refers to good design and states that “*...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.*
- Paragraph 3.12 highlights that “*...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...*
- Paragraph 4.1.1 refers to sustainable development and states that “*...the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution...*
- Paragraph 4.1.37 notes that “*...planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services*”. In respect to car parking provision, paragraph 4.1.50 notes that “*parking provision should be informed by the local context, including public transport accessibility*,

urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport".

The following Technical Advice Notes (TAN) are also relevant:

- TAN 12: Design
- TAN 18: Transport

Local Planning Policies

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

- SW1 Provision of New Homes
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW4 Environmental Protection

Supplementary Planning Guidance (SPG) Notes:

- Note 4 - Sustainable Design.
- Note 5 - Nature and Development.

PLANNING CONSIDERATIONS

The main issues to consider in the assessment of this application relate to whether the principle of the development is acceptable in this location and whether it would be an appropriate proposal in respect of its impact upon the character and appearance of the area, residential amenity, ecology, parking provision and highway safety.

Principle of Development

The proposed development seeks to change the use of a 3 bedroom residential dwelling into a 4 bedroom HMO. Given that the property lies within the settlement boundary and the proposal seeks to continue to provide a residential use (albeit of a different nature), it would be acceptable provided it complies with other relevant policies. The proposed development would therefore be acceptable in principle and would accord with LDP Policy SW4.

Character and Appearance

The proposed change of use and provision of a cycle store would not involve any significant alterations to the internal layout or external appearance of the property, and planning permission would not be required to remove and rebuild an internal wall and use a ground floor room as a bedroom. The proposal would therefore not have any adverse impact on the appearance of the property or the character of the wider area.

It is appreciated that properties occupied by non-family households have the potential to change the character of an area (i.e. damage social cohesion with higher levels of transient residents). However, it is not evident that the proposed 4 bedroom HMO would lead to an over-concentration of HMO's resulting in significant harm to the residential character of the street. As such, the proposal would comply with LDP Policy SW11.

Residential Amenity

In terms of the impact on residential amenity, i.e. additional noise and disturbance, and management of additional waste (which have been raised in the letters of objection), the proposed 4 bedroom HMO would not be significantly different to the existing use, as a 3 bedroom residential dwelling. Indeed, planning permission is not required to change a ground floor lounge into a bedroom and the size and scale of the cycle store would not impact on residential amenities. In respect of the potential for additional noise and disturbance, which may have an impact upon the amenities currently enjoyed by surrounding residents, it is not considered that the proposal would be significantly harmful. Indeed, given its scale and the nature of the use, which would not differ greatly from that of a typical dwelling, it is unlikely to give rise to a greater impact on residential amenity that would warrant the refusal of this application. Furthermore, it is acknowledged that the Environmental Health Manager has not raised any objection.

With regards to the waste facilities available to serve the 4 bedroom HMO, the application includes details for the storage of bins and recycling in the rear garden and does not state that waste would be collected directly from the rear of the property. The increase in bedrooms is unlikely to increase waste produced at the property to significant levels and is likely to be similar to that of the existing property. Waste bins/area can be stored at the rear of the property and then placed at the front of the property, on the pavement, once a week in readiness for the relevant collection. Indeed, the property can already be occupied by 4 individuals, or families of a larger number without the need for planning permission. It should also be noted that no concerns or objections have been raised by the Environmental Health section in this respect.

It is acknowledged as a result of the publicity exercise that concerns were raised in respect of noise, anti-social behaviour, crime and the public's safety. It is also recognised that there are concerns surrounding the type of occupiers that the proposed HMO would attract. It is important to note that the responsibility for dealing with such issues, such as noise and anti-social behaviour, which are not necessarily uniquely associated with HMO developments and can also occur within any family home, would be shared between a number of agencies, particularly the Police, Environmental Health and the landlord. It is also important to note that planning controls are concerned with the use of the land, rather than the user of the land. As such, concerns related to the potential future occupiers of the HMO property is not a matter which can be considered in the assessment of the planning application or controlled by the local planning authority. Whilst the concerns of residents are acknowledged, there is no clear evidence in this instance, which demonstrates that the proposal would increase anti-social behaviour, noise and disturbance, or cause a

risk to the safety of surrounding residents. The proposed development would therefore be considered to comply with LDP Policy SW11.

Ecology

The Council's Ecologist notes the submission of a Green Infrastructure Statement (GIS) in support of this application and does not object to the proposal. The ecological enhancements would involve the provision of a bat box on the rear (western) elevation and a planting scheme within the rear garden.

The proposed Ecological enhancements can be secured by condition, and these biodiversity enhancements would contribute to the wider green infrastructure objectives. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

Parking Provision and Highway Safety

With regards to the impact of the proposal upon highway safety, the proposed HMO would increase the number of bedrooms from 3 to 4. Typically, 1 parking space per bedroom would be sought with up to a maximum of 3 parking spaces for any residential property. As such, the provision of an additional bedroom would not normally amount to the need for additional parking to be provided. Notwithstanding this, currently the parking for the property is accommodated along the adopted highway. Whilst it is recognised that there would be an increase in bedrooms, the Head of Engineering and Highways notes the current parking arrangement for the dwelling and has raised no highway safety concerns with the proposal, which seeks to continue to provide a residential use (albeit of a different nature).

It should also be noted that the application site lies adjacent to a residential street with unrestricted on-street parking provision. It is also recognised that the site lies within walking distance of public transport (i.e. bus), where the use of more sustainable modes of transport can be encouraged. Thus, given the sustainable location of the property and the parking requirements associated with a 3 bedroom property and a 4 bedroom HMO, the proposal would not give rise to any significant changes in highway or pedestrian safety concerns.

It is recognised that local residents have also raised concerns in respect of access via the rear of the property. Although the proposal includes provision for the storage of cycles at the rear of the property, it does not include any alterations to provide additional access to the rear garden. Indeed, there is no evidence to suggest that cycles cannot be kept at the rear of the property and then moved through the dwelling and on to the public highway.

It is recognised that local residents have also raised concerns in respect of the existing on-street congestion and the additional parking pressures that the proposed use could place upon the local area. However, the merits of the development should also take into account that a dwelling can accommodate up to 6 persons living together as a single household without the need for planning permission. Thus, in this instance, the impact of the proposed development upon highway and pedestrian safety, would not

warrant the refusal of the application. Therefore, the proposal would accord with LDP Policy SW11.

Response to Representations

The material planning considerations raised in the letters of objections have been addressed in the relevant sections above. With regards to other concerns raised (which are not planning matters), these have been addressed below:

- The management of a HMO lies outside of the planning controls and is therefore not a planning consideration when assessing the merits of the proposal. HMO properties would generally be managed by the owner/developer and any concerns regarding its management, such as overcrowding, unsafe environments due to fire safety breach regulations, improper disposal of waste, and/or poor living conditions, would be a matter for the Council's Environmental Health Division.
- Whilst reference has been made to the refusal of a HMO proposal at 2 Llewellyn Street by the planning committee, it should be noted that this development was subsequently allowed on appeal.
- It has been highlighted that there is not an adequate water supply for the fire service. However, it should be noted that South Wales Fire and Rescue were consulted on the proposal and have not raised any objection to the proposal or advised that there is inadequate water supply.
- It has been highlighted that this proposal may cause some distress and unease amongst surrounding residents, including vulnerable and elderly individuals, particularly in response to potential occupiers of the HMO. Whilst the concern for the wellbeing of residents is noted, the future occupiers of the property is not a material planning consideration.
- Any impact on the potential value of properties is not a material planning consideration.

CONCLUSION

Taking into account the above considerations, concerns raised by local residents and consultee responses, it is considered that the proposal is acceptable and would accord with the relevant LDP policies.

Finally, the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **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:

Drawing Title: Proposed Site Plans, Drawing No: A302, Received on 17 September 2025.

Drawing Title: Proposed Plans, Drawing No: A301, Received on 17 September 2025.

Green Infrastructure Statement, Received on 17 September 2025

Reason - To ensure compliance with the approved plans and clearly define the scope of the permission.

3. **Prior to the development hereby approved coming into beneficial use** the bat box shall be provided in accordance with approved plan Drawing Title: Proposed Site Plans, Drawing No: A302, Received on 17 September 2025 and Drawing Title: Proposed Plans, Drawing No: A301, Received on 17 September 2025. The bat box shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

4. In the first planting season after the development hereby approved coming into beneficial use, the planting shall be provided in accordance with approved plan Drawing Title: Proposed Site Plans, Drawing No: A302, Received on 17 September 2025 and approved document: Green Infrastructure Statement, Received on 17 September 2025. The scheme of planting shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).