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COMMITTEE	Planning and Regulatory
COMMITTEE DATE	4th February 2026

Application No.
P/25/0333

Date
10th December 2025

Determining Authority
MTCBC

Proposed Development

Location

Name & Address of Applicant/Agent

Change of use from residential dwelling house (C3) to house of multiple occupation (C4)

44 Aberfan Road
Aberfan
Merthyr Tydfil
CF48 4QL

Mr Rashim Whorra
c/o D. Vivian Jones
114 Brecon Road
Hirwaun
Aberdare
CF44 9NS



P/25/0333

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Councillor Darren Roberts 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 location.

APPLICATION SITE

The application site relates to an existing mid-terrace dwelling. The surrounding area is predominantly residential in character, although present along Aberfan Road is a general store and pharmacy which are located opposite the site and a fish and chip shop situated approximately 45 metres to the south. The property is set back from the highway and accommodated a forecourt area to the front and an enclosed private garden to the rear.

To the rear of the site is a back access lane serving properties at Nos. 38 - 52 Aberfan Road and Nos. 27 - 50 Moy Road. The lane is used as a shared pedestrian route and provides vehicular access to rear garages and associated amenity areas for some of the identified properties. The application site itself does not benefit from either pedestrian or vehicular access from this back access lane.

In respect of parking provision there is unrestricted on-street parking along Aberfan Road with vehicles generally parking along one side.

PROPOSED DEVELOPMENT

This application seeks full planning permission to change the use of the property from a 4 bedroom residential dwelling (C3 Use Class) to a 5 bedroom House of Multiple Occupation (HMO) (C4 Use Class).

In respect of external alterations proposed to the property, a window to serve a toilet would be provided at first floor level on the side elevation. No internal alterations are proposed to accommodate the change of use. However, the front living room would be used as a ground floor bedroom. The proposal also includes the provision of cycle storage in two outbuildings to be erected in the rear garden. One outbuilding would measure approximately 3.1m deep, 2.45m wide and 2.35m high and accommodate 2 bicycles and the other outbuilding would measure approximately 3.1m deep, 3.33m wide and 2.35m high and would accommodate 3 bicycles. An area for waste/bins in the rear amenity area is also included on the plans.

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.

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 17 December 2025 and site notices were displayed within the vicinity of the site on 18 December 2025.

As a result of this publicity exercise, 31 letters of objection and a petition of objection, containing 956 signatures have been received. In regard to the objections, below is a summary of the concerns that have been raised:

- **Parking and Traffic:** The site is on a busy road with limited on-site parking, and surrounding streets already lack sufficient parking, causing congestion.
- **Character and Heritage:** The proposal would harm the character of the area and fails to respect Aberfan's historical sensitivity and remembrance.
- **Proliferation of HMOs:** Approval could set a precedent for more HMOs in the area.
- **Anti-Social Behaviour Risks:** Potential for increased noise, disturbances, anti-social behaviour, and crime.
- **Environmental Impact:** Increased waste could lead to adverse environmental and visual effects.
- **Community Cohesion:** HMOs often lead to higher tenant turnover, intensification of use, and can undermine stability among long-term residents.
- **Lack of Community Consultation:** Residents have not been consulted on this proposal or feel they have not been sufficiently consulted.

- Planning Policy: The proposal is contrary to policies
- Legal and Licensing Concerns: The Council's duties under the Housing Act 2004 and HMO Management Regulations must be considered. 44 Aberfan Road does not appear to have a HMO licence.
- Safety and Security: Concerns include fire safety, lack of close police presence, and risks to vulnerable individuals, including children and women and proximity to schools.
- Monitoring and Supervision: No details on how the HMO would be managed, with the applicant living outside the area.
- Unknown Occupants: Lack of clarity on who will occupy the property.
- Impact on Property Values: The development could negatively affect surrounding house prices.
- Structural Concerns: Conversion may require substantial alterations.
- The applicant lives outside the area.

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 4 bedroom residential dwelling into a 5 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, insertion of a first floor window to serve a toilet and the provision of cycle stores would not involve any significant alterations to the internal layout or external appearance of the property. Additionally, planning permission would not be required to 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 5 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 5 bedroom HMO would not be significantly different to the existing use, as a 4 bedroom residential dwelling. Indeed, planning permission is not required to change a ground floor lounge into a bedroom and a condition can be used to ensure that the proposed window will be obscurely glazed and non-opening above 1.7m. In respect of the proposed cycle stores, they are of a size and scale that would not impact on residential amenities of neighbours.

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.

Concerns regarding the degree of works to convert the property have been raised. It is noted that, in addition to the window and bicycle stores referred to above, the proposed plans include internal works such as insertion of a partition wall to divide the bathroom and create a room for a second toilet, fire safety works to install fire doors, equipment and detection systems, and any electrical works being carried out by a competent person. It is acknowledged that the Environmental Health Manager has not raised any objection. Furthermore, these internal works do not require planning permission.

With regards to the waste facilities available to serve the 5 bedroom HMO, the application includes details for the storage of bins and recycling in the rear garden. 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 has not objected to the proposal. It is noted that the rear garden contains brambles which would need to be removed to accommodate the proposed bicycle stores. Ecological enhancements are included on the proposed plans and would involve the provision of a sparrow nest box on the rear (western) elevation of the property.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes clearance of a garden which would not require planning permission, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be provided, which would provide additional habitats in the local area, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply 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 4 to 5. 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 4 bedroom property and a 5 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 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 and licencing 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.

- Fire safety concerns for the occupants have been raised. 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. Compliance with fire safety standards would be a matter for the Council's Environmental Health Division and Building Control.

- 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 WCFG 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 plan:

Drawing Number: 3060 C, Received on 10 December 2025.

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

3. **Before the development hereby permitted is brought into use**, the proposed first floor window in the side elevation (north) shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

4. **Prior to the development hereby approved coming into beneficial use** the sparrow nest box shall be provided in accordance with approved plan Drawing Number: 3060 C. The sparrow nest 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).

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.