

DELEGATED REPORT

Application No:	P/24/0261
Site Address:	6 Cardiff Road Troedyrhiw Merthyr Tydfil CF48 4LB
Development:	Change of use to a 11 bed House in Multiple Occupation
Case Officer:	David Cross
Application Expiry Date:	10th April 2025
Consultation reply date expired:	12th December 2024

APPLICATION SITE

This application relates to what appears to be a large detached property when viewed from the front, but instead it seems to have been sub-divided previously at some point with No. 1-5 occupying the left side of the building and No. 6 in the right side. The main entrance to No. 6 is located to the side (south-east) of the property. To the north-west is No. 1-5 Cardiff Road with vacant scrub land beyond. To the north-east and south-east are adjoining residential properties, the majority of which are traditional terraces that front directly onto the highway. To the south-west is Cardiff Road which is a busy main road with a nearby school to the north of the site, together with a number of local shops and services in the vicinity.

PROPOSED DEVELOPMENT

Planning permission is sought for the change of use of the property from a dwellinghouse within Use Class C3 (comprising 5 bedrooms) to a 10 person HMO (*'sui generis'* use).

The proposal largely involves internal alterations to provide 5 additional bedrooms on the ground floor along with a bathroom, separate toilet area and kitchen/dining area. At first floor level 5 bedrooms would be provided together with a bathroom, separate toilet area and kitchen/dining area. Whilst the majority of the bedroom are shown on the submitted plans to be single room, a couple of the rooms at first floor appear to be double rooms, which would suggest provision for up to 12 people residing at the property. However, it has been clarified by the applicant that this is only indicative of the room size and that the HMO would be occupied by no more than 10 people.

The proposal would involve some minor external works to the property which reflects the changes to the internal spaces. The front and rear elevations of the property would remain unchanged. A number of alterations would take place along the south-east elevation. The

main entrance which provides access into a reception room would be repositioned with glazing introduced to the side and above the doorway with access into a stairwell area. The existing main entrance would be replaced with a window. The existing doorway serving the ground floor kitchen area would be replaced with a new window. A first-floor window which currently serves a bathroom (to be changed to a bedroom) would be fitted with obscured glazing. A new ground floor and first floor window would be installed (to serve two bedrooms) which would project from the elevation at a 25-degree angle to restrict overlooking towards the adjacent property.

Within the side access area serving the property, the submitted plans indicate that a bin store and bike area can be provided.

PLANNING HISTORY

There is no relevant planning history relating to the application site.

PUBLICITY

In accordance with the Town & County Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties.

As a result of this publicity exercise 2 letters of objection and a letter of support have been received which raised the following points:

Objection:

- The development would generate further congestion with 11 more cars trying to park in the area.
- Concerns with the provision of a HMO use close to a school.
- Anti-social activity has previously taken place at the property.

Support:

- The adjoining property (No. 5 Cardiff Road) is already a temporary HMO, which has not caused any issues in the local area.

The local ward councillors have been informed of the concerns raised by the residents and have not requested the application be presented to the planning committee. As such, the application shall proceed to be determined under delegated powers by the Director of Neighbourhood Services.

CONSULTATION

Head of Engineering and Highways	-	Objection: There is a lack of off-street parking and this would lead to congestion along the highway to the detriment of highway safety.
Planning Policy Officer	-	Objection: The proposal would result in a mix and density of development inappropriate to its local context which

would have an impact on local amenity and highway safety.

Environmental Health Manager	-	Concerns have been raised that the proposal would fail to provide adequate living standards/facilities to serve the proposed number of people in the HMO.
Housing Division	-	No specific comments on the proposal.

POLICY CONTEXT

National planning policy

Future Wales: the National Plan 2040 (February 2021)

Planning Policy Wales Edition 12 (February 2024)

Local planning policy

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

- Policy SW1 – Provision of New Homes
- Policy SW4 – Settlement Boundaries
- Policy SW9 – Planning Obligations
- Policy SW11 – Sustainable Design and Placemaking
- Policy CW1 – The Historic Environment
- Policy EnW1 – Nature Conservation and Ecosystem Resilience
- Policy EnW4 – Environmental Protection

Supplementary Planning Guidance (SPG)

SPG Note 1: Affordable Housing (March 2012)

SPG Note 2: Planning Obligations (March 2012)

SPG Note 4: Sustainable Design (July 2013)

SPG Note 5: Nature and Development (May 2015)

CSS Wales Parking Standards 2008

PLANNING CONSIDERATIONS

Principle of development

The application site lies within the settlement boundary where the majority of development is generally encouraged and is located in a predominantly residential area. Additionally, the property is already used for residential purposes. Whilst the proposal would change the nature of the residential use from a dwellinghouse to a House of Multiple Occupation (HMO), the property would continue to provide residential accommodation and would generally be compatible with the neighbouring uses. As such, the principle of the development is deemed to be acceptable subject to its compliance with other relevant policies.

It is acknowledged that the number of persons residing in the property would increase to accommodate up to 10 persons with shared kitchen/dining and bathroom facilities. In this regard, consideration is given to Policy SW9 (Planning Obligations) of the LDP which seeks contributions towards the provision of affordable housing and open spaces. The proposal would essentially provide for one residential unit with up to 10 residents. Given the nature of the proposal, the above-mentioned contributions would not be sought in this instance. Therefore, the proposal complies with Policy SW9 of the LDP.

Design and amenities

There are no significant alterations to the property other than changes to the doors and fenestration on the south-east elevation of the property. These alterations largely involve the repositioning of doorways and installation of new windows in response to the internal alterations, which involves the creation of new bedrooms and shared facilities. These alterations would have a minimal impact on the character and appearance of the building and would not be readily visible within the streetscene.

It is acknowledged that the proposal involves the installation of first floor windows which would have some potential to give rise to overlooking concerns into the neighbouring rear garden area. To overcome this, it is proposed that one of the windows serving a bedroom would be fitted with obscured glazing. Another window would have a slight projection with the windows placed at an angle to limit the potential views across to the neighbouring garden. With such measures in place, which could be secured as a condition of any permission, it appears that the potential for overlooking would be appropriately minimised in the interest of the amenities of the neighbouring occupiers. In this regard it is noted that no concerns have been raised in relation to the loss of privacy.

It is acknowledged that concerns have been raised in respect of the potential for anti-social activity which could be a source of nuisance for local residents. Given the proposed number of people that would reside at the property, there would be some potential for increased noise and disturbance, particularly from the coming and going of people, of which the main entrance would be to the side of the adjoining property adjacent to a rear garden area. Notwithstanding this, the neighbouring property is in an elevated position and separated by a high stone boundary wall which would likely minimise such disturbances. Given that the property does not have a driveway, the disturbances from vehicles coming and going would not likely differ significantly from the current situation, where residents are already subjected to some noise from the main highway. As such, it is considered that the proposal would not give rise to significant impacts on the amenities of the neighbouring occupiers. Nor have any such concerns been raised as a result of the publicity exercise.

Concerns have been raised by the Environmental Health Manager in respect of the proposed number of people that would be residing in the property and the potential living standards of the HMO. For a HMO of this size, the following facilities (amongst other things) would be required:

- For a 10 person HMO at least 2 bathrooms should be provided with 2 separate toilets (one of which can be contained in a bathroom)
- For a 10 person HMO 2 kitchens should be provided of a suitable size and layout (11sqm for a kitchen on its own and 27.5sqm if it includes a living space i.e. a dining) and should not be more than 1 floor away from the unit of accommodation.

- The bedrooms should be at least 6.5sqm for a single person and 9sqm if it includes a combined living room.

The submitted plans illustrate a bathroom with toilets would be provided on the ground and first floor (one with a bath and the other with a bath and shower). In addition to this, a separate toilet with hand basin would also be provided on each floor.

On the ground floor a kitchen and dining area would be provided measuring approximately 20.28sqm and on the first floor the kitchen with dining area would measure approximately 11.02sqm. Whilst 2 kitchens have been provided with dining areas, it would appear that each of the proposed kitchen/dining areas would fall short of the expected requirements of 27.5sqm to accommodate the necessary space and facilities.

It is noted that the property would not provide any separate living rooms and so it would be appropriate for the bedrooms to including some living space. The size of the proposed bedrooms is illustrated on the submitted plans, and it is evident that the bedrooms on the first floor would be of a sufficient size i.e. 9sqm or more. However, the bedrooms on the ground floor would all fall short of the required space. Whilst they would be a sufficient size as a bedroom, they would not be of a sufficient size to include a reasonable area of living space.

It appears from the above that the conversion of the property to a 10 person HMO would fail to provide adequate living space in the property to serve the residents. As such, it is considered that the proposal would be of an unacceptable design, resulting in an over intensification of the use of the property and would be of a density that undermines the living standards and level of amenity that could be reasonably expected for the residents, contrary to Policy SW11 of the LDP.

Highway implications

The property directly fronts on to the highway and does not provide for any off-street parking. The majority of the existing properties in the vicinity are traditional terraces that also front onto the highway and do not provide any off-street parking. As such, parking in the area is largely accommodated along the highway, which often presents considerable congestion in the area. Additionally, there are highway restrictions with double yellow lines at nearby junctions and along one side of the road, which further reduces the capacity for street parking. These restrictions are in places due to the narrow width of the carriageway, which is exacerbated by the street parking that can have some impact on the free flow of traffic.

The existing property currently provides 5 bedrooms and is considered to be a dwellinghouse which could accommodate a family or up to 6 unrelated persons living together as a single household (within Use Class C3). The proposed change of use to a HMO for up to 10 people would considerably increase the number of people residing at the property. It has also been highlighted by the applicant that the HMO is intended to be marketed to attract professionals.

Whilst the future occupiers may utilise public transport, it would be reasonable to assume that they may also have their own vehicle. Indeed, given that the residents would not form a single household it would also be reasonable to assume that car sharing would not take place. The proposed change of use to a HMO would effectively double the number of existing residents at the site in an area where parking is already considerably constrained.

In line with the CSS Wales Parking Standards, the parking requirements for a typical dwellinghouse would be 1 space per bedroom up to a maximum of 3. Whilst the guidance does not include a category for HMO's the proposal would be akin to two large (5 bedroom) dwellings, which would likely attract a requirement for up to 6 off-street parking spaces. This does not take into account the potential for visitors as well, of which there could be multiple people visiting the individual residents. Given that there is no off-street parking or the opportunity to create suitable parking, the proposal would place significantly increased parking pressure along the local highway network. This would have the potential to increase indiscriminate parking in an area where there is already a number of highway restrictions. It would also have the potential to displace parking to other nearby streets which are already congested with street parking. In this regard, it is acknowledged the Head of Engineering and Highways has raised an objection to the development. Accordingly, it is considered that the development would give rise to an unacceptable level of street parking that would exacerbate the existing congestion in the area to the detriment of highway safety. Therefore, the proposal runs contrary to Policy SW11 of the LDP.

Ecological impact

It is recognised that chapter 6 of Planning Policy Wales requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, given that the development largely relates to a change in the use with minor alterations to the elevations, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be sought and can be secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with Policy EnW1 of the LDP.

CONCLUSIONS

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, as well as the Welsh Ministers well-being objectives set out in section 8 of the WBFG Act.

The proposed development is deemed to be unacceptable, as it would result in an over intensification of the residential use at the site, which would fail to provide adequate living standards and amenity provision for the residents and would give rise to unacceptable levels of on-street parking to the detriment of highway safety. Accordingly, the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following **REASONS:**

1. The proposed development would be of an unacceptable density that constitutes an over intensification of the residential use, which fails to provide adequate living spaces for the future occupiers to the detriment of their residential amenity, contrary to Policy SW11 of the Merthyr Tydfil County Borough Replacement Local Development Plan 2016-2031.

2. The proposed development, by virtue of the intensified residential use and lack of any dedicated parking provision, would result in an unacceptable increase in the level of on-street parking, which would give rise to indiscriminate parking along the local highway network, creating traffic hazards to the detriment of highway and pedestrian safety, contrary to Policy SW11 of the Merthyr Tydfil County Borough Replacement Local Development Plan 2016-2031.

RECOMMENDATION ENDORSED

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Director of Neighbourhood Services

DATE: 3rd April 2025