

# INTERNAL MEMORANDUM

**To:** Kate Glover - Development Control Case Officer

**Reference:** P/24/0252

**From:** Planning Policy and Implementation Section

**Ask for:** David James

**Extension:** 7053

**Date:** 5<sup>th</sup> November 2024

## Summary

The development meets Replacement LDP policies (SW1, SW3 and SW4). Careful consideration should be given to Policies SW11 and EnW4 as the development could result in a mix and density of development inappropriate to its local context, and could result in a level of activity, noise, loss of privacy, anti-social behaviour, and traffic movements, which would unacceptably impact local amenity and highway safety.

If minded to approve in principle, particular consideration should also be given to the impact on the surrounding historic environment assets (Policy CW1), as well as biodiversity, including important habitats, species and landscapes (polices EnW1 & EnW3).

## Observations in respect of the above proposal

### **1. Proposed Development**

An application for the retrospective change of use from a dwelling house (Class C3a), to a 3 bedroom HMO (Class C4), at 10 Harriet Town, Troedyrhiw, Merthyr Tydfil.

### **2. Development Plan Framework**

The existing development plan framework in Merthyr Tydfil is provided by:-

**The Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031)**

The relevant LDP Objectives are:-

- *LDP Objective 1 Sustainable Population Growth: To encourage a sustainable level and distribution of population growth.*
- *LDP Objective 2 Welsh Language and Culture: To protect and enhance Welsh language and culture.*
- *LDP Objective 3 To ensure the sufficient provision of land for the delivery of a range and choice of housing and affordable housing to address local housing needs.*
- *LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.*

- *LDP Objective 6 Sustainable Design: To promote high quality, sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.*
- *LDP Objective 7 Transport: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 9 Heritage and Cultural Assets: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 10 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*

The following development plan policies would apply:-

- *Policy SW1: Provision of New Homes*
- *Policy SW2: Provision of Affordable Housing*
- *Policy SW3: Sustainably Distributing New Homes*
- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy CW1: Historic Environment*
- *Policy EnW1: Nature Conservation & Ecosystem Resilience*
- *Policy EnW2: Internationally and Nationally Protected Sites and Species*
- *Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species*
- *Policy EnW4: Environmental Protection*

The following supplementary planning guidance is applicable:-

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 1: Affordable Housing (March 2012)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 2: Planning Obligations (March 2012)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015)*

## National Planning Policy

### Planning Policy Wales (Edition 12, February 2024)

Planning Policy Wales provides guidance on matters relevant to this application, namely:

- Placemaking in Action: Good Design Making Better Places
- Strategic Placemaking: Previously Developed Land
- Active and Social Places: Living in a Place
- Recognising the Special Characteristics of Places: The Historic Environment
- Recognising the Environmental Qualities of Places

## **Future Wales: The National Plan 2040 (February 2021)**

Future Wales provides guidance on matters relevant to this application, including, but not limited to:

- Policy 1: Where Wales will grow
- Policy 2: Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 7: Delivering Affordable Homes
- Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

### **3. Policy Considerations**

The site of the development is located within an 'Other Growth Area' (Policies SW1 and SW3), as defined by the LDP, where development will be allowed subject to the proposals compatibility with other plan policies and material considerations (Policy SW4).

Policy SW1 states that 2250 additional homes are required to sustainably grow our population. The development represents a contribution to the overall housing provision required during the plan period. Furthermore, Policy SW3 states that while new homes will be concentrated within the main settlement of Merthyr Tydfil, the will also be directed to our other settlements of Troedyrhiw, Merthyr Vale and Aberfan, Bedlinog, and Edwardsville, Quakers Yard, Trelewis and Treharris.

Policy SW9 relates to planning obligations. Given the nature of the development, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) is not chargeable in this part of the County Borough.

Policy SW11 requires new development to, among other things:

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
- not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design;
- allow access for the widest range of people possible, and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.
- provide adequate facilities and space for waste collections and recycling.
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

Considering the location of the application site, in close proximity to existing dwellings, careful consideration should be given to these issues. The first, third, fourth and fifth criterion are particularly relevant.

The surrounding area is characterized by older terraced and larger dwellings. The development introduces a fairly dense form of development, which could be inappropriate to the local context in terms of mix and density (first criterion).

It has been recognized in areas which have concentrations of HMOs, that the nature of a HMO is different to that of a residential dwelling of similar size, where the conversion of a dwelling to a HMO can result in an intensification of its residential use.

Any intensification of occupation could result in increased levels of activity in and around the house (for example increased visitors and vehicles), which can have negative impacts on occupants, their neighbours and the local community. Given this potential intensification of use, the proposal could result in an unacceptable impact on the amenity and privacy of the surrounding dwellings.

Furthermore, the submitted plans do not indicate that the development benefits from off-street parking. The proposal could result in increased traffic movements, with a negative impact on local amenity and highway safety (fourth criterion above). Any parking provision should therefore be checked against the Council's current parking standards, and the views of the Engineering and Traffic Group Leader should be sought in this respect.

Finally, and relating to the points already made above, given the nature, density and potential occupation of the HMO, the development could result in anti-social behavior (fifth criterion).

In addition to the impacts of the individual proposal, the potential cumulative impacts of HMOs (and similar types of use) in the area should be considered. Listed below are properties in the settlement of Troedyrhiw which have been converted to, or have received permission to be converted to, HMOs, small flats, B&Bs and Air BnBs (this list may not be exhaustive). Many of these are concentrated in the Bridge Street area, within 500m of the application site:

1. 5 Cardiff Road
2. 29, Wyndham St
3. Lower Mount Pleasant
4. 10, Harriet Town
5. 1, Yew St
6. 14, Bridge St
7. 10 School Road
8. 32, Bridge St
9. 35, Nantycoed
10. 9, Queens Road, Carlton Tce
11. Costcutters, Cardiff Rd
12. 4a & 5a Victoria Buildings
13. Twin Trails B&B, Cardiff Road
14. Falls Cottage (Air BnB)
15. Carlton Tce (Air BnB)
16. School Road (Air BnB)
17. Bridge St (Air BnB)
18. 1, Dyke St (Air BnB)
19. 52, Yew St (Air BnB)

It is normally difficult to demonstrate the degree of impact that an individual HMO would have on the character and amenity of its surroundings. However, areas where many houses are HMO can have a distinct character based on their cumulative impact.

There are recognized demographic impacts as the concentration of HMOs increases, with less families occupying the area. Additionally, other impacts can take place from the displacement of owner-occupied houses by rented houses and the displacement of the settled population by short-term residents. Impacts can include the increased appearance of estate agents advertising boards, deterioration in the general standard of property maintenance and inadequate handling of refuse. The displacement can also result in reduced use of facilities that serve the settled population, such as schools and local shops, which can lead to their closure.

Evidence from other local authorities that have a higher number of HMOs indicates that a concentration of HMOs can lead to negative consequences in respect of crime and anti-social behaviour. Whilst these are issues that are controlled and dealt with by mechanisms outside of the planning process, if relevant evidence was to be put forward, then consideration could be given against Policy SW11 in regards to the proposals changing the character of the area.

Considering the above points, careful consideration needs to be given to Policy SW11. Given the increasing amount of planning applications of a similar nature being submitted in the County Borough, the cumulative impact of such developments, in terms of Policy SW11 (and other relevant LDP polices) will need to be reviewed and considered.

Policy SW12 supports development that encourages a modal shift towards sustainable transport, including the enhancement of pedestrian, cycle, rail and bus facilities, in addition to any necessary road improvements. Development proposals will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport. The accessibility of the application site, along with its proximity to services and amenities, and the availability of public transport should be carefully considered. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy CW1 advises that the integrity of our historic environment assets will be conserved and enhanced. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character or the historic or cultural importance of our designated historic environment assets. And that, development affecting undesignated historic environment assets including, Locally Listed Buildings or structures, Landscapes of Outstanding Historic Interest in Wales, Urban Character Areas (UCA) and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

As such, any relevant historic environment assets should be taken into consideration, and the views of the relevant Officer or external Heritage body sought in this regard, as appropriate.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW2 seeks to protect Internationally and Nationally Protected Sites and Species. Policy EnW3 states that development proposals likely to have an adverse impact on Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, or Priority Habitats and Species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the conservation value of the site;

2. Adverse impacts on nature conservation features or geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development maintains and where possible enhances biodiversity and geodiversity interests.

As such, the views of the Council's Ecologist should be sought.

Policy EnW4 advises that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

- Pollution of land, surface water, ground water and the air;
- Land contamination;
- Hazardous substances;
- Land stability;
- Noise, vibration, dust, odour nuisance and light pollution; or
- Any other identified risk to public health and safety.

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures have been incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes. With regard to flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN 15.

Similarly to Policy SW11 above, given the density and nature of the use (including the intensification of the residential use), it has the potential to result in a significant increase in noise, anti-social behaviour and traffic movements. As such, the views of the Engineering and Traffic Group Leader, and the Environmental Health department, should be sought.