

DELEGATED REPORT

Application No:	P/24/0103
Site Address:	16A Aberfan Road Aberfan Merthyr Tydfil CF48 4QL
Development:	Part change of use of a ground floor shop to form part of a dwelling and redesign of front elevation with internal alterations.
Case Officer:	Kate Glover
Site Visit:	9th May 2024
Application Expiry Date:	26th June 2024
Consultation reply date expired:	31st May 2024

APPLICATION SITE

The application property comprises a mixed use with residential accommodation over three floors and a room within the building which has an established use as a shop (Use Class A1). The shop is accessible from street level.

The property is the last, at the northern end of a small terrace of three properties. The other two properties comprising the terrace are dwellings. To the north of the proposal site is a fish and chip shop. Opposite the proposal site is a chapel and residential properties.

The application site lies within the settlement boundary, and Aberfan Local Centre as designated within the Merthyr Tydfil Local Development Plan 2016-2031.

PROPOSED DEVELOPMENT

Full planning permission is sought for a change of use of the shop to residential, to be incorporated into the existing dwelling and be used as a living room.

Planning permission is also sought to remove the shop window and door. A new front door will be provided, the shop window will be bricked up and a new window installed. The proposed window will have the same proportions as the upper floor windows.

Two bat boxes would also be located just under the eaves on the northern elevation of the property.

Internal alterations are proposed and a new external lower ground floor door would be provided to the rear of the property. As planning permission is not required for these works/alterations, no consideration will be provided.

PLANNING HISTORY

There are no recent planning applications relating to the site.

CONSULTATION

Head of Engineering and Highways	– No objection
Planning Policy Officer	– No objection

PUBLICITY

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

No letters of objection were received following this publicity exercise.

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)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- EnW1 Nature Conservation and Ecosystem Resilience
- Policy EcW3: Retail Hierarchy - Supporting Retailing Provision
- Policy EcW5: Town and Local Centre Development
- Policy SW13: Protecting and Improving Local Community Facilities

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle of the development

As noted above, the property is located within Aberfan's retail core where policy EcW5 seeks to retain retail or other commercial uses.

The Planning Policy Officer notes that the property has been vacant for a significant period of time and marketed for at least 6 months. As such it is considered that there is no interest in the retail area of the property for commercial uses.

It is considered that the proposal meets with LDP Policy EcW5.

Visual Impact/Impact upon the character of the area

The alterations to the principal elevation are considered to be acceptable and would not have an adverse visual impact on the amenity/character of the area.

It is considered that the proposal meets with LDP Policy SW11.

Residential Amenity

It is considered that the proposed residential use, siting and relationship with neighbouring properties would not result in any unacceptable adverse impact upon the living conditions of neighbouring occupiers.

It is considered that the proposal meets with LDP Policy SW11.

Ecology/Biodiversity

The application site is located in an urban area.

The Planning Ecologist has suggested that a Preliminary Bat Roost Assessment should be undertaken however in this instance given the location of the property and nature of the proposed works this is not considered to be proportionate or necessary. In this regard it is acknowledged that there are no works proposed to the roof of the property.

Instead, it is considered that a condition can be used to ensure the proposed bat boxes are erected prior to the beneficial occupation of the additional living accommodation.

It is also considered that a suitably worded informative should be attached to any consent informing the applicants of their responsibility when undertaking works in relation to European Protected Species and birds

It is considered that the proposal meets with LDP Policy EnW1.

CONCLUSION

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.

Having regard to the policy context above, the proposal is considered acceptable and the following recommended 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 and documents:

Drawing Title: Proposed Conversion, Drawing Number 4521 01, Received on 7 May 2024

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 occupation the two bat boxes shall be erected in accordance with approved plan Drawing Title: Proposed Conversion, Drawing Number 4521 01, Received on 7 May 2024. The bat boxes 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 Replacement Local Development Plan.

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.

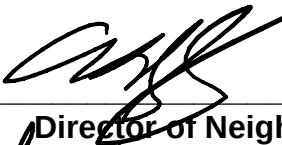
2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

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.

RECOMMENDATION ENDORSED




Director of Neighbourhood Services

DATE: 17.06.2024