

DELEGATED REPORT

Application No:	P/24/0206
Site Address:	148 High Street Merthyr Tydfil CF47 8DP
Development:	Erect new shopfront; demolish part of rear kitchen extension and alter its flat roof to a sloping roof; erect three storey rear extension.
Case Officer:	Marlene Ferreira
Site Visit:	5th September 2024
Application Expiry Date:	16th October 2024
Consultation reply date expired:	19th September 2024

APPLICATION SITE

The application site relates to a terraced property, 148 High Street in the Merthyr Tydfil Town Centre. The building, a three storey gabled premises, features a traditional shopfront at ground floor, a brickwork frontage with timber sliding sash windows above.

The premises is currently occupied by a retail business (Custom Work Wear) at ground floor and used as office space at first and second floors. The ground floor is served by three accesses into the building, two off the high street and one from the rear. The first and second floors are accessed via the rear only, via a metal staircase. The premises is served by a rear courtyard (enclosed with gates) which serves the parking requirements of the premises, providing 2 on-site vehicular spaces.

The application site adjoins commercial properties, a two-storey dormer premises to the north, occupied by a dental surgery (Fountain Dental Centre), a three storey premises to the south, occupied by a hairdressers (The Cutting Room), the high street to the east (front) and adopted highway to the west (rear).

PROPOSED DEVELOPMENT

This application seeks planning permission to install a new shopfront, construct a rear three storey extension, to include the demolition of part of the rear ground floor kitchen extension. Internal alterations are also proposed to the commercial unit at ground floor.

The new shopfront would be altered to include one central doorway only. The timber shopfront would feature decorative pilasters either side, a central fascia, and a low stallriser. Internally, the ground floor commercial area would be extended (by removing the existing store area and hallway) and the alterations to the shopfront would result in a central entranceway into the retail area of the building.

The three-storey extension, which would measure approximately 6m wide, 2.4m deep and 11.5m in height and would be finished with natural slate roof tiles, smooth rendered elevations and UPVc windows, seeks to replace the existing external three storey metal staircase. It would comprise an internal stairwell, allowing for internal access to the upper first and second floors of the premises. To accommodate the proposed staircase extension, a very small section of the existing ground floor kitchen area would be demolished, and its existing sloping roof, measuring approximately 3.7m in height, would be replaced by a new flat roof, measuring approximately 3.2m in height.

PLANNING HISTORY

The following planning history is relevant to this site:

P/06/0535 - Change of use of building to office based training provision (D1 use) – Approved: 28th November 2006

P/06/00172 - Installation of additional roller shutter door to rear wall of property to allow easier access and additional parking – Approved: 16th May 2006

P/06/0059 - Change of use from residential/shop to commercial offices – Approved: 27th March 2006

P/96/0238 – New shopfront and internal alterations – Approved: 16th August 1996

CONSULTATION

Head of Engineering and Highways	No objection, subject to conditions.
Council's Policy Officer	No objection.
Council's Ecology Officer	No objection, subject to conditions.
Environmental Health Officer	No objections, subject to conditions.
Natural Resources Wales	No objection.
Welsh Water	No objections, subject to conditions.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties and a site notice was

displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and states that *‘...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 surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraphs 6.1.14 – 6.1.17 relates to conservation areas and notes that *‘...there should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised...’* *‘...There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level...’*

Paragraph 6.4.3 discusses biodiversity and states that *‘...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of*

ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...'

Paragraph 6.6.22 advises on flooding and explains that *'... the climate emergency is likely to increase the risk of flooding as a result of sea-level rises, increased storminess and more intense rainfall. Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers. Surface water flooding will affect choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating development proposals...'*

- TAN (Technical Advice Note)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that *'...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...'*

TAN 12 – Design (2016)

This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales. Section 2.6 of TAN12 states that *'...Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities...'* Section 4.3 of TAN12 points out *'...Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process...'*

TAN 15 – Development, Flooding and Coastal Erosion (2021)

This TAN provides guidance that supplements those set out in PPW policies in respect of flooding. It provides a framework within which the flood risks arising from rivers, the sea and surface water, as well as the risk of coastal erosion can be assessed. It goes on to advise on the consequences of the risks and adapting to and living with flood risk.

TAN 24: The Historic Environment (2017)

Section 1.14 of TAN 24 refers to conservation principles and *'... recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history,*

which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain local distinctiveness and a sense of place. The use of an objective, structured approach to identify the elements of historic character and creating an evidence base is vital...'

Local Planning Policies

- The Merthyr Tydfil Replacement LDP 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy CW1 – Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

Policy EcW3 - Retail Hierarchy- Supporting Retail Provision

Policy EcW5 - Town and Local Centre Development

- Supplementary Planning Guidance (SPG):

SPG3 – Shopfront Design, May 2013

SPG5 – Nature and Development, May 2015

- Other Guidance:

Merthyr Tydfil Town Centre Conservation Area (June 2009)

PLANNING CONSIDERATIONS

The issues to consider when assessing this application relate to whether the proposed development is acceptable in principle in this location, and whether it would be an appropriate development 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 application site is located within Merthyr Tydfil Town Centre, but lies outside the Primary Shopping Area (PSA). The development, as proposed, does not seek to introduce any additional use or modify the existing retail and office uses at this premises. As such, the retail use at ground floor and office use at second and third floors would continue to operate as existing. The proposed works would only include alterations to the existing shopfront, the addition of a rear extension and internal works. As such, these proposed works, which seek to enhance the vitality, attractiveness and viability of the premises within the town centre, would therefore accord with the requirements of LDP Policies EcW3 and EcW5.

The premises, given its location within the town centre, in close proximity to the River Taff, is at risk of flooding, with the front of the premises being located within Flood Zone 3, and the rear of the building being located within Flood Zone 2, both of which are at risk of

flooding from Rivers, as identified in NRW's up to date 'flood map for planning'. However, it should also be noted that development proposed is not classed as highly vulnerable. Furthermore, the development relates to an existing premises in the town centre, which is currently occupied by existing businesses. This, combined with the scale, nature and extent of the development proposed, would not raise significant concerns in respect of flooding, even with the absence of a flood consequence assessment. NRW have confirmed that (in the absence of a flood consequent assessment), the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and advised to install flood-proofing measures as part of the development and have therefore not raised any concerns or objections. NRW comments were sent to agent, via email, on the 24th April 2026. As such, in this instance, the proposal would result in an acceptable form of development in this location which would accord with LDP Policy EnW4.

Character and Appearance

The application site, a three-storey building located along the town centre high street and within the Town Centre Conservation area, is an attractive and well maintained building which makes a positive contribution to the character and appearance of the street scene and conservation area.

The proposed works to the premises, particularly to the front elevation, which would include the addition of a traditional hardwood shopfront with symmetrical pilasters either side, stallriser below and a central doorway, are features which are reflective of the building's historic appearance and provide a sympathetic and appropriate frontage framing the entrance into the premises. Indeed, the proposed shopfront, given its design with one central doorway only, which aligns the front first floor windows, appears more balanced and proportionate than the existing shopfront and is considered to enhance the frontage of the premises.

Other alterations include the construction of a three-storey extension. As explained previously, this would be located to the rear of the property in place of the existing external metal staircase. It seeks to accommodate an internal stairwell to the first and second floors of the building. The extension, would meet the height of the existing building and would therefore appear as a prominent rear addition. However, it would only project 2.4m in depth and it would be finished in slate roof tiles and smooth render to match its existing finishes. As such, it would appear as a sympathetic and proportionate addition. Although it is noted that the proposed rear windows would be UPVc and their use would not normally be supported in a conservation area, the existing windows at the rear of the property are also UPVc and as such, the use of UPVc windows in this instance, would not be considered to adversely impact upon the character and appearance of the existing premises or that of the conservation area and would therefore be acceptable. Indeed, the rear extension at this height and with UPVc windows, would appear visually more attractive and appropriate within this context than the existing bulky, incongruous and unsightly metal staircase.

In terms of the alterations to the rear single storey kitchen extension, it is noted that a very small section would be demolished and the sloping roof would be altered to a flat roof, as this would allow the three storey extension to be accommodated with more ease, and there are no significant concerns with the visual impact of this part of the proposal.

The proposed development, when viewed individually or as part of the wider street scene, would be considered to preserve, enhance and positively contribute to the character and

appearance of the building, conservation area and overall town centre shopping environment and would therefore accord with LDP Policies SW11 and CW1.

Residential Amenity

The proposed development has been considered in respect of its impact upon residential amenity. It should be noted that the use of the building is not changing as a result of this application, and therefore, the use of the commercial business at ground floor and office development at first and second floors are therefore not under consideration.

In terms of the proposed three storey rear extension, it is noted that this would measure 11.5m in height to meet the height of the existing building, however, it would only have a depth of 2.4m and would therefore not be considered to have a significant overbearing impact upon neighbouring premises. Furthermore, it would not comprise any side facing windows, and any overlooking opportunities, like the existing windows, would be to the rear parking forecourt serving the premises. As such, the privacy of neighbouring premises would be safeguarded as a result of this proposal. Indeed, the overlooking opportunities from the existing three storey staircase would be far greater than those which could be provided by the proposed extension. In this respect, it should also be noted that no objections have been raised by nearby occupiers. The proposed development would therefore be considered acceptable in this instance and would accord with LDP Policy SW11.

Ecology

Given the nature of the works proposed, which includes a new shopfront and a rear three storey extension, the Council's Ecologist requested a Preliminary Roost Assessment of the building. The report was submitted on the 7th January 2025 and concluded that there was '*...evidence of bats in the accessible parts of the buildings loft space...*'. Given the presence of potential access points and roosting locations, the building was determined as having high potential and ecological value for bats. As such further works in the form of a bat survey was recommended.

A bat report, comprising three survey dates, was received on the 11th February 2026. The 1st and 2nd surveys did not identify the property as a bat roost, however, survey 3 identified a roost for a single common pipistrelle bat. The report confirmed that '*...no breeding birds were identified within the site...it is likely that the bat roost will be subject to disturbance only...no bats were identified in the static bat detector. It is likely that bats use the building and were not in the building at the time that the static was placed...NRW license will be required prior to works commencing ...*'. The report went on to clarify that in terms of mitigation, compensation and enhancement, the new loft area would also be made available to bats by providing access under the bargeboards and over the wall top, the new loft are would be lined with traditional type 1F bitumen felt or non-bitumen coated roofing membranes and that bird and bat boxes would be installed, as illustrated in the proposed plans. Other recommendations within the report referred to undertaking the works within certain times only, restricting lighting in terms of downward luminaires only (in this instance Saxby lighting- forge-121022 led black outdoor washer light, at a colour temperature 2700k, would be used), ensuring that bat boxes are not be directly illuminated, and having an experienced and suitably licensed ecologist on for the duration of the works. The Council's Ecologist has considered the survey report submitted, including the mitigation, compensation, enhancements and recommendations and is satisfied with the conclusions reached.

A Green infrastructure statement (GIS) has also been submitted as part of this application. The document sets out the step-wise approach, which includes mitigation and compensation measures, namely the provision of shrub planting within the rear yard (which should be carried out within the first planting season) and the provision of bird and bat boxes. The Council's Ecologist has reviewed the GIS and is satisfied with the document.

The proposed development, provided it is carried out in accordance with the recommendations set out in the relevant reports, which can be secured via a suitably worded condition, would be considered acceptable and would accord with LDP Policy EnW1.

Parking Provision and Highway safety

The existing premises is served by a parking forecourt to the rear which provides 2 parking spaces. The proposed development, although including a rear three storey extension, does not seek to introduce a new use into the premises or modify the existing uses. Instead, this seeks to solely provide internal stairwell access to the first and second floors. As such, the parking requirements for the site remain as existing. Indeed, the proposed plans have included cycle parking bays at the rear of the premises, and this is welcomed. The Head of Engineering and Highways has considered the proposed plans and have not raised an objection. Whilst they have raised concerns with the rear access gate enclosing the parking forecourt (which opens into the car park area), as discussed above, the parking requirements for the site would remain unchanged as a result of this proposal, and as such, it would be deemed unreasonable and unjustified to request that such alterations are undertaken. Furthermore, the site lies within a town centre high street and therefore within a highly sustainable location, near bus stops and a train station. It also lies within a very short walk of a public car park. Thus, the proposed development is therefore considered acceptable in this instance and would accord with LDP Policy SW11.

CONCLUSION

For the reasons set out above, the proposed development is considered acceptable and would therefore comply with the relevant policies.

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.

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:

- Saxby Lighting - Forge - 121022 - LED Black Clear IP65 Outdoor Wall Washer Light, received: 4th April 2026;
- Basement and Ground Floor Plans as Proposed Drawing No. P797 L200 Rev D, received: 1st April 2026;
- Elevations 2 of 2 as Proposed Drawing No. P797 L211 Rev C, received: 1st April 2026;
- Site Plan as Proposed Drawing No. P797 L002 Rev D, received: 1st April 2026;
- Green Infrastructure Statement, received: 27th March 2026;
- Section as Proposed Drawing No. P797 L212 Rev A
- Bat Survey, received: 11th February 2026;
- First and Second Floor Plans as Proposed Drawing No. P797 L201, received: 11th February 2026;
- Ecology Report - Preliminary Building Inspection, received: 7th January 2025;
- Elevations 1 of 2 as Proposed Drawing No. P797 L210, received: 21st August 2024;

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

3. **Prior to the commencement of development** samples/details of the following material finishes shall be submitted to and approved in writing by the Local Planning Authority:

- natural slate roof covering;
- smooth render (including colour).

The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason - To ensure that the external appearance of the property will be in keeping with the character of the area in the interests of visual amenity and to accord with Policies SW11 and CW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. Prior to the beneficial use of the rear three storey extension hereby approved, the enhancement measures proposed, as stipulated in the Preliminary Roost Assessment, Bat Survey, and shown on the proposed plans, shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

5. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

2. 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, outside those identified in the surveys, 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, other than those identified in the surveys, 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.

3. 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.

4. The applicant/developer's attention is drawn to the comments received from Welsh Water during the course of this application. Their records indicate that the site is crossed by a public sewer. Under the Water Industry Act 1991, Dwr Cymru has rights of access to its apparatus at all times.

Some public sewers and lateral drains may not be recorded on Welsh Waters maps because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal.

The applicant is advised to contact Welsh Water on 0800 917 2652 and request a sewer trace to establish the location and status of the sewer. The applicant is advised that diversion works/other works may be required to accommodate the proposed development.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 30.04.2026