

DELEGATED REPORT

Application No:	P/26/0105
Site Address:	15 Bargoed Terrace Treharris CF46 5RB
Development:	Conversion of ground floor to Bakery & Coffee Shop. Conversion of first floor to self-contained two-bedroom flat with new rear access stairway
Case Officer:	Kate Glover
Site Visit:	11 June 2026
Application Expiry Date:	7th July 2026
Consultation reply date expired:	10th June 2026

APPLICATION SITE

The application site relates to a commercial property forming part of a terrace known as Bargoed Terrace, which is located on Cardiff Road, Treharris. The principal elevation comprises two storeys, featuring the shop entrance at ground level and residential accommodation at first-floor level. Due to the topography of the area, the ground level drops sharply from front to back. As a result, the rear of the property sits several metres below the Cardiff Road street level, creating a lower ground floor. The rear of the property features an existing three-storey rear extension, a small enclosed amenity area, and pedestrian access via an unnamed rear lane.

The shopfront is attractive and traditional in its character and appearance. It features a centrally placed, recessed entrance set between large, timber-framed windows and ornamental pilasters. A traditionally designed and finished fascia is located above the shopfront. The principal elevation incorporates decorative brick quoins, which also surround the first-floor windows. These first-floor openings comprise six-pane sash windows, and the main elevation is finished in painted render. Conversely, the rear elevations are finished in pebbledash with uPVC window frames. The roof of the property is finished with concrete tiles.

The properties on either side of the site are residential dwellings. The surrounding area is also residential in character, notably including John Street, which is located immediately to the south. John Street sits at a lower topographical level than Bargoed Terrace. The rear lane of the application site acts as the immediate boundary and separation buffer between the elevated rear of Bargoed Terrace and the lower-lying residential curtilages of John Street.

Treharris Bus Station is situated directly opposite the principal elevation of the application site on Cardiff Road.

PROPOSED DEVELOPMENT

The application seeks full planning permission to convert the lower ground and ground floors into a bakery and café (Use Class A3) and the first floor into a two-bedroom flat.

The planning application form states that the existing materials and finishes are timber and uPVC colour varies, and proposed materials and finishes would be white uPVC to flats and rear elevation, with the shop-front to be retained.

To separate the café from the proposed flat, the existing internal stairway would be removed, and access to the flat would be provided via a new doorway created on the east side of the first floor. Access to the flat would be provided from the rear amenity area and an external, metal staircase attached to the rear of the property and positioned on the boundary with No. 14 Bargoed Terrace. These stairs would incorporate two landings, with a covered area over the top landing. A second set of external stairs is also proposed and these would provide access from the bakery/café to an office which would be located on the lower ground floor and the rear amenity area. The rear amenity space would also accommodate a dedicated bin storage area for the café, alongside a separate cycle store and bin storage area for the proposed flat.

PLANNING HISTORY

The relevant planning history is summarised below:

P/08/0185 Change of use of building from opticians to tattoo studio
Approved: 29 May 2008

CONSULTATION

Planning Policy Officer: No objections

Environmental Health Manager: No objection, subject to conditions.

Bedlinog and Trelewis Community Council: No objection received

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties 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) (Future Wales) 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 (PPW) Edition 12 (February 2024) sets out the land use policies of the Welsh Government. The most relevant paragraphs are:

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 ...'*

Paragraph 3.10 refers to the importance of appropriate building materials and states that *'In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.'*

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...'*

Paragraph 6.1.14 refers to conservation areas *'...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. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed...'*

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 12 – Design. This TAN advises that the Assembly 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.

The most relevant paragraph is, 5.6.2 which advises that *'In areas recognised for their landscape, townscape, architectural, archaeological and/or historic value, such as National Parks, Areas of Outstanding Natural Beauty, World Heritage Sites and conservation areas, the objective of sustaining character is particularly important and context appraisals should reflect this. The general aspects of the "character" objective of good design should be pursued but more detailed information may be needed in relation to key issues such as:*

- the setting and views of key buildings, landscape, parks and gardens, archaeology and skylines within, to and from the area;
- the degree of architectural unity or informality in building groups and settlements and in landscape;

- locally distinctive building elements and construction techniques, such as roof pitches, window proportions, parapets, or paving details;
- locally distinctive facing materials such as natural slate, brick quoins or natural stone in both buildings and the public realm;....’

TAN 24 - The Historic Environment. The purpose of this TAN is to provide guidance on protection and enhancement of the historic environment.

The most relevant paragraph is, 1.14 which 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 following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 (LDP) are relevant to the determination of this application:

- SW1 - Provision of New Homes
- SW2 - Affordable Housing
- SW3 - Sustainably Distributing New Homes
- SW4 - Settlement Boundaries
- SW9 - Planning Obligations
- SW11 - Sustainable Design and Placemaking
- SW13 - Protecting and Improving Local Community Facilities
- EnW1 - Nature Conservation and Ecosystem Resilience
- EnW4 - Environmental Protection
- CW1 - The Historic Environment

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1 - Affordable Housing
- Note 2 - Planning Obligations
- Note 3 - Shopfront Design
- Note 4 - Sustainable Design
- Note 5 - Nature and Development

Other Relevant Guidance

The Borough’s Detailed Conservation Area Assessment (2020) (CAA).

The CAA, in section 5.4 (Positive buildings), identifies No’s 1 – 22 Bargoed Terrace as a group of buildings which make a positive contribution to the conservation area and the terrace is identified as a key building.

PLANNING CONSIDERATIONS

The planning application form states that the building is currently vacant and that its last beneficial use was as a tanning salon, although no details have been provided to confirm when this use ceased. Records indicate that planning permission was granted in 2008 for a change of use from an optician's to a tattoo studio (sui generis). This permission appears to have been implemented, as photographic evidence shows the premises operating as a tattoo studio in November 2008. Subsequent evidence dated April 2011, indicates that the premises was being used as a hairdressers, beauty salon, and tanning salon which would be considered as falling into a combination of A1 Use Class and sui generis. However, there is no record of planning permission being granted for a change of use from a tattoo studio to the identified uses.

Evidence indicates that this unauthorised use may have continued until 2015 and as the unauthorised use ceased before a continuous 10-year period had elapsed, it has not achieved lawfulness. Consequently, the lawful planning use of the premises remains a tattoo studio, rather than a hairdressers, beauty salon, and tanning salon. In any event, as both historical uses fall within a sui generis or mixed use classification, the proposed change of use to a bakery and café constitutes a material change of use that requires planning permission.

As such, the issues to consider under the assessment of this application relate to the principle of development, impact upon the character and appearance of the property and conservation area, and impact upon the residential amenity of neighbours.

Principal of Development

The planning policy team has not objected to the proposal, noting the current commercial use of the building and the proposed change of use would also support a use which is of benefit to the community. As such, the proposed change of use from a hairdressers or tanning salon to a bakery and café is considered acceptable, given that the building is already in commercial use.

There are no concerns regarding the principal of creating a residential flat at first-floor level. The introduction of a residential unit within a predominantly residential area is considered compatible with the surrounding context. Furthermore, it is acknowledged that fallback permitted development rights would allow the conversion of the upper floors of the building into a flat without requiring full planning permission.

Visual Impact and Impact on the Conservation Area

The application site is located within the Treharris Conservation Area. Consequently, the proposal can only be supported if its design and visual impact do not detrimentally affect the special architectural or historic qualities of the designation.

Significant concerns are raised regarding the introduction of two metal staircases at the rear of the property, particularly the three-storey structure. While these stairs would be positioned to the rear, the surrounding terrace is predominantly residential and retains a consistent domestic character. Although such multi-storey staircases might be acceptable within a commercial town centre where intensive uses coexist, they would introduce a discordant and overly dominant feature to the property in this specific location.

The proposed smaller staircase would replace an existing dilapidated structure. While an external staircase is not unexpected given the steep topography to the rear, the cumulative impact of introducing two separate external staircases would exacerbate visual clutter. Combined, the staircases would dominate the rear elevation, failing to preserve or enhance the character and appearance of the Conservation Area.

There are further concerns regarding the lack of clarity regarding surrounding potential works to the principal elevation of the property. As noted above the application form refers to the proposed materials and finishes being white uPVC to flats and rear elevation, with the shop-front to be retained. The proposed plans refer to the materials and finish for the proposed rear staircases but do not identify the proposed material in relation to windows or which windows are to be replaced. However, the proposed elevation does incorporate details of the first floor windows on the principal elevation which would serve the flat, and these windows appear to be of the same proportions as the existing windows.

However there is a degree of uncertainty which is caused by the reference to white uPVC to flats and rear elevation, with the shop-front to be retained. A shop-front is defined as the commercial entrance rather than the entire façade of a commercial building. The removal and replacement of the first floor timber windows in the principal elevation would not be supported due to the impact on the character and appearance of the principal elevation.

In summary, the proposal fails to preserve or enhance the character and appearance of the Treharris Conservation Area. The introduction of two external metal staircases, particularly the dominant three-storey structure, would introduce a discordant, overly commercial feature that causes significant visual clutter and harms the established domestic character of the rear terrace. Furthermore, the application fails to provide necessary clarity regarding the principal elevation. The ambiguous references to uPVC materials create unacceptable uncertainty regarding the potential loss of traditional first-floor timber windows. In the absence of precise plans confirming the retention of these architectural features, the proposal risks harming the principal facade of the building. Consequently, the development is contrary to PPW, TAN12, TAN24 and LDP Policies SW11 and CW1.

Residential Amenities

Potential impact on residential amenities must be assessed against the operational activities of the bakery and café which would include delivery times, opening hours and ventilation for the kitchen. Consideration also has to be given to the impact of the use of the proposed rear staircases and outdoor space created by the upper covered platform.

It is noted that Environmental Health Manager has not raised any objections to the proposal and recommend a number of conditions including delivery times and opening/closing times.

The potential impact on residential amenity must be assessed against the operational activities of the proposed bakery and café, which include delivery times, opening hours, and kitchen ventilation. Consideration must also be given to the impact of the proposed rear staircases and the outdoor amenity space created by the upper covered platform.

In relation to potential noise and disturbance, the application site is an established commercial property situated on Cardiff Road, which is a busy thoroughfare with a bus stop located opposite. Consequently, surrounding residential occupiers already experience

a baseline of ambient traffic noise and general commercial activity not typical of a purely residential zone.

However, a combined bakery and café introduces distinct operational patterns at either end of the day that could exceed this established baseline. While daytime traffic noise would easily mask standard café operations, the early morning preparation required for a bakery and the late-evening activity of a café occur when ambient road noise drops significantly.

The application form seeks operational hours of 07:00 to 19:00, seven days a week, including Bank Holidays. Given the shared party walls with residential properties and the predominantly residential character of the wider area, these proposed early morning and late evening operations may cause unacceptable disturbance to neighbouring residents.

The Environmental Health Manager has raised no objections to the principle of the development, but recommends restrictions on the opening and delivery hours to safeguard the living conditions of nearby occupiers. The following periods have been set out by the Environmental Health Manager:

- Monday to Friday: 08:00 – 18:00
- Saturday: 09:00 – 18:00
- Sundays and Bank Holidays: 10:00 – 16:00

The recommended restrictions are appropriate in this location and would enable the operation of the business alongside the residential nature of the neighbouring properties.

In relation to the impacts on the residential amenities of neighbouring properties, significant concerns are raised regarding the potential overbearing impact and loss of privacy caused by the proposed rear staircases, particularly to the occupiers of Nos. 14 and 16 Bargoed Terrace. In addition, the development presents a potential loss of privacy and a perception of overlooking for the occupiers of Nos. 29 and 30 John Street, which would be generated by users of the flat using the upper covered outdoor platform, which would be used as outdoor space.

Turning first to No. 14, this property would be most severely affected by the development due to the three-storey external staircase being sited directly adjacent to its shared boundary. The rear amenity area of No. 14 is relatively small. While it is noted that this neighbouring property features an existing extension and outbuilding that would partially obscure views from the top of the proposed covered platform, users of the staircase must still travel directly past the boundary at an elevated height. Consequently, occupants of the flat would have direct, elevated views into No. 14's private amenity area. Although these views may be transient, they would introduce an intrusive level of overlooking that is harmful to domestic privacy.

Furthermore, the scale, height, and immediate proximity of the three-storey structure directly on the boundary line would result in a dominant and oppressive form of development, creating an unacceptable overbearing impact when viewed from the private garden of No. 14. Consideration has been given to whether the overlooking could be mitigated through the use of privacy panels along the staircases. However, such screening would increase the overall bulk and massing of the frame, and compound the overbearing nature while also causing greater detriment to the character of the Conservation Area.

The occupiers of No. 16 Bargoed Terrace would experience a similar loss of privacy. The multi-storey nature of the staircase provides elevated vantage points that allow for overlooking into the private rear amenity area of this dwelling. However, due to the physical separation distance between the proposed staircase structure and the boundary of No. 16, the development would not result in a harmful overbearing impact on the living conditions of these occupiers. The harm to No. 16 remains confined to the loss of privacy.

Further amenity concerns are raised regarding the relationship between the proposed rear development and the properties located to the south on John Street. Nos. 29 and 30 John Street sit at a lower ground level than Bargoed Terrace. The elevated upper covered platform at the top of the proposed staircase would be positioned approximately 16 metres from the boundary of these properties. Due to this sharp drop in local topography, the platform would occupy an elevated position relative to these neighbouring dwellings.

Consequently, the occupants of Nos. 29 and 30 John Street would experience a harmful and unacceptable level of direct overlooking into their properties and/or perception of being overlooked. This would severely compromise the sense of privacy that the occupiers of Nos. 29 and 30 John Street can reasonably expect to enjoy.

As such, the cumulative effect of the development would result in an unacceptable level of harm to the living conditions of surrounding residents. The proposal introduces an overbearing structure alongside a severe loss of privacy and an unacceptable perception of overlooking across multiple neighbouring properties.

Whilst the proposal and the associated delivery and opening times could be effectively controlled via conditions and therefore meet the requirements of LDP Policy EnW4 in relation to noise, the proposal would not meet the requirements of LDP Policy SW11 due to an unacceptable impact on the residential amenities of neighbouring dwellings.

Ecology

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 would only impact on a rear yard area which could be cleared without the benefit of planning permission, the submission of a GIS is deemed to be disproportionate and unreasonable. It is noted that the proposed ecological enhancement would be provided via a bird box on the south elevation. The planning ecologist has not objected to the proposal and has recommended that due to the south facing nature of the rear elevation, the bird box is replaced with a bat box. Notwithstanding the proposed plans, a revised scheme of ecological enhancements could be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives, therefore ensuring that the proposed development would comply 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 proposed commercial bakery and café use is acceptable in principle, and its operational hours could be satisfactorily managed via restrictive planning conditions to protect neighbour amenity. The matter of a change for the bird box to a bat box could be addressed via the submission of a revised plan. However, the cumulative visual clutter would harm the character of the Treharris Conservation Area. Furthermore, the ambiguity regarding the loss of traditional timber windows on the principal elevation introduces unacceptable uncertainty. In addition, the proposed 3 storey, external staircase would cause unacceptable degree of overlooking or perception of being overlooked in relation to Nos. 14 and 16 Bargoed Terrace. In relation to Nos. 29 and 30 Johns Street, the 3 storey staircase would result in an unacceptable level of overlooking, or perception of being overlooked caused by occupants of the flat leaving the premises and when using the outdoor covered area. The close relationship between 3 storey staircase and the boundary of No.14 would cause an unacceptable overbearing impact on that property. The following recommendation is made:

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

1. The proposed rear staircases, by virtue of their scale, design, and multi-storey height, would constitute unsympathetic and overly dominant additions to the building. The cumulative visual clutter of the structures would introduce a discordant feature into a predominantly domestic context, failing to either preserve or enhance the character and appearance of the Treharris Conservation Area. As such, the proposal is contrary to Planning Policy Wales Edition 12 (February 2024), Technical Advice Note 12: Design (2016), Technical Advice Note 24: The Historic Environment (2026), and Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).
2. The application fails to provide necessary clarity regarding the works to the principal elevation of the building, where the ambiguous introduction of white uPVC windows to the upper-floor flats would constitute an unsympathetic and incongruous alteration to a traditional facade. The loss of traditional timber window proportions and materials would harm the architectural integrity of the principal elevation, failing to either preserve or enhance the character and appearance of the Treharris Conservation Area. As such, the proposal is contrary to Planning Policy Wales Edition 12 (February 2024), Technical Advice Note 12: Design (2016), Technical Advice Note 24: The Historic Environment (2026), and Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).
3. The proposed 3 storey external staircase, by virtue of its significant height, elevated position, and immediate proximity to the shared boundary, would result in an unneighbourly and unacceptable overbearing impact when viewed from the private rear amenity area of No. 14 Bargoed Terrace. Furthermore, the elevated vantage points afforded to users accessing the flat would introduce direct, intrusive, and unmitigated overlooking into the private amenity spaces of both Nos. 14 and 16 Bargoed Terrace. The development would severely undermine the domestic privacy and living conditions that the occupiers can reasonably expect to enjoy, contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).

4. The proposed upper covered platform and 3 storey staircase, by virtue of their elevated positioning relative to the local topography, would occupy a dominant position and directly overlooking the lower-lying residential properties to the south. The structure would result in an unacceptable level of direct overlooking, alongside an intrusive and permanent perception of overlooking, into the private garden areas of Nos. 29 and 30 John Street. The development would compromise the sense of domestic privacy and security of these neighbouring occupiers, contrary to Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).

INFORMATIVES

1. The applicant is advised that any subsequent or revised planning submission must proactively address potential impact on nearby residential occupiers.

The Environmental Health Manager has indicated that operational controls would be required to prevent a public noise nuisance. Any future planning permission would be conditioned to restrict opening hours and commercial delivery times.

Furthermore, you are referred to the comments of the Environmental Health Manager regarding the requirement for commercial extraction, ventilation, or filtration equipment, having regard to the close proximity of neighbouring residential properties.

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 2nd July 2026