

DELEGATED REPORT

Application No:	P/25/0043
Site Address:	45 Perrott Street Treharris CF46 5ET
Development:	Change of use of ground floor Barber shop to residential
Case Officer:	Rebecca Owens
Site Visit:	26th February 2025
Application Expiry Date:	18th April 2025
Consultation reply date expired:	19th March 2025

APPLICATION SITE

The application relates to a mid-terraced property located within the settlement boundary. The site is also located within the Treharris Conservation Area and the Treharris Local Centre. It is therefore in an area comprising of a mixture of residential and commercial uses and is sited in close proximity to the Grade II listed Treharris Public Library and Grade II listed Tabernacle Independent Chapel. The property is two storeys with a vacant commercial unit at ground floor which was formerly a Barbers Shop. It is bound by the Highway of Perrott Street to the front, a dwelling to the rear, a shop to one side and a dwelling to the other.

PROPOSED DEVELOPMENT

Full planning permission is sought to change the use of the ground floor from a Barber shop (A1 Use Class) to a residential unit (C3 Use Class). The ground floor flat would comprise of a single bedroom bathroom and living room/kitchen. It is also proposed to remove the existing shopfront and replace this with a brown upvc ground floor window. Access to the ground floor flat would be via the existing door which would be shared with the first floor flat. The elevation would be finished with a silicon render.

PLANNING HISTORY

There is no recent planning history which needs to be considered when determining this application.

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering and Highways	No objection
Planning Policy officer	No objection
Ecologist Officer	No objection
Environmental Health Manager	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring 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) 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
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EcW3 Retail Hierarchy – Supporting Retailing Provision
- EcW5 Town and Local Centre Development

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

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle

The application site is located in a mixed use area where there are both residential and commercial properties present and is within the settlement boundary. As such the principle of development is acceptable subject to compliance with other relevant policies and material planning considerations.

In this respect it is also noted that the application site is located within the Treharris local centre and as such is a favoured location for retail, leisure and other complementary development. Policy EcW5 supports development that enhances the vitality and viability of local centres. It is recognised that the proposal would provide a use which does not fall within the A uses classes and as such under Policy EcW5 evidence would be required to establish the following:

- It is demonstrated through active and appropriate marketing that the existing use is no longer economically viable; and,
- The proposal would not result in an over concentration of non-A1 uses that would be detrimental to the vitality, attractiveness and viability of the local centre; and,
- The proposal would not result in the creation of a dead window frontage; and,
- The proposal would not have an unacceptable effect on the amenity and viability of neighbouring uses, having regard to the 'agent of change principle'.

Information has been submitted with the application indicating that the application site has been marketed without success and it is noted that within the local centre there are a number of vacant units, some of which have been vacant for a long period time. As such, there are other potential units available for new 'A' uses to occupy. However, lack of interest following marketing and the high number of empty units would suggest that the economic viability of such uses at this location is poor. With respect to the other criteria set out by Policy EcW5, it is not considered that the proposal would result in an overconcentration of non-A1 use. There are a number of commercial units that currently operate from the local centre, with a mix of 'A1' and other uses. In addition, the proposal would not result in a dead window frontage (as the vacant unit now has) and its reuse would help to improve the overall visual amenities of the area and thus result in a more positive contribution than the current vacant and shuttered shopfront. Finally, it is not deemed that it would have a negative impact on the amenity and viability of neighbouring uses. Taking the above into consideration, the proposal would satisfy the criteria set out in policy EcW5 and the overarching objective to enhance the vitality and viability of the local centre.

It is also noted that the proposal would result in the loss of a barbers and as such Policy SW13 would be relevant. This policy seeks to protect the loss of community facilities unless it can be appropriately justified under the following criteria:

- alternative provision of at least equivalent value to the local community can be provided nearby, or
- the existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- there is no longer a viable community use for the facility.

Given that the application site has been unsuccessfully occupied following marketing and the volume of vacant units in the area, it is considered that the use has been demonstrated as being surplus to the needs of the community. However, it is also highlighted that there are other barbers and hairdressers within the area providing this service to the local community. Accordingly, the proposal would not contravene this policy.

Character and visual amenity

It is noted that the site is located within the Treharris Conservation Area and as such the impact of the proposal on its character would be an important planning consideration. However, the property subject to this application is vacant at ground floor level and has been for a period of time. As such the property currently has its roller shutter closed and provides no active frontage to the street. In addition, its continued lack of use could result in a steady decline in its condition and state of repair which would also have a negative impact on the appearance of the street scene and the character of the conservation area. The reuse and subsequent refurbishments of the building would therefore be positive.

The proposed use of the ground floor as a dwelling would not be out of character in the context of the site. In addition, the proposed changes to the front elevation to create a domestic rather than commercial frontage are also generally considered to be acceptable. The design and arrangement of the fenestration is considered to be appropriate and in keeping with other properties in the area. However, it is recognised that the proposed windows and door would be UPVC rather than timber. As the site is located in a conservation area the use of traditional materials such as timber would be the preferred material. However, it is recognised that the first floor windows are already UPVC as are the windows/doors and shopfront of the adjoining properties on either side.

As such it is considered that on balance there would not be any detriment to visual amenity and the changes would not harm the character of the conservation area or the setting of the nearby listed buildings. It is therefore found to comply with Policies SW11 and CW1 of the LDP.

Residential amenities

Consideration has also been had for the impact of the proposal on the residential amenities of the neighbouring residents. In this respect it is noted that despite being within a local centre, there are dwellings adjacent to, and within the vicinity of the site. Given the scale and nature of the external alterations proposed no concerns are raised with respect to overbearing impact or overshadowing/loss of light. In addition whilst the internal spaces would change to habitable rooms as part of the proposal it is not considered that there would be any additional impact in terms of overlooking or loss of privacy (particularly as the windows are all at ground floor level). In addition, whilst there would be some comings and goings associated with a flat, this would not be to the extent of a shop which would generate a greater level of noise and disturbance than the proposed residential use. In this respect it is also noted that no objections were received from the Environmental Health Manager or indeed following the publicity exercise. The proposal is therefore acceptable in terms of its impact on residential amenity and would comply with Policy SW11 of the LDP.

Car parking and highway safety

It is noted that the site does not benefit from any off-street parking and no designated parking is included as part of the proposal. However, the existing use as barbers shop would generate a parking demand that would be in excess of the proposed residential use. Furthermore, the site is located in a sustainable location within a local centre and is therefore in close proximity to services, facilities and public transport links. There is also parking to the front for permit holders and a public car park in walking distance which would provide both short and longer term parking as well as accommodating other more sustainable means of travelling to the facility. As such, it no concerns are raised in respect to car parking or highway safety and no objection has been received from the Head of Engineering and Highways.

Ecology

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, a biodiversity enhancement statement has been submitted which proposes a number of ecological enhancements including a surface mounted house sparrow terrace, a bat box, bug hotel and raised planting beds. Having regard to the nature and scale of the development, which relates largely to a change of use with only minor external alterations, this is considered to be acceptable. The ecological enhancement will be secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore 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.

Accordingly the following recommendation 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:

Proposed front elevation and proposed ground floor plans, Drawing Number 1 of 2,
Received 14 April 2025.

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

3. **BEFORE** the flat hereby approved is brought into beneficial use, the sparrow terrace, bat box, bug hotel and planted raised beds shall be provided in accordance with the information set out in the Biodiversity Enhancement Statement received on 14 April 2025 (Ref: Version 2 bio 2) and shall be retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 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: 25.06.2025