

DELEGATED REPORT

Application No:

P/19/0265

Site Address:

62 High Street
Merthyr Tydfil
CF47 8DE

Development:

Convert existing attic into a one bedroom flat to include a flat roof dormer and roof light to side elevation. Convert office and staff bedroom at first floor into one bedroom flat. Convert basement in support of restaurant use. Erect first floor rear extension and other external alterations

Case Officer:

Marlene Ferreira

Site Visit:

14th October 2019

Application Expiry Date:

14th January 2020

Consultation reply date expired:

25th October 2019

APPLICATION SITE

The application site relates to a large four storey locally listed building (with basement and roof space), located on the corner of High Street and John Street in the town centre. The ground floor of the red brick building has been painted black and is currently operating as a restaurant (A3 use class). The first floor is used for offices and staff facilities in support of the restaurant use at ground floor. The second floor has been sub-divided into 3 studio flats and the third floor is used as a one bedroom flat. Both the basement and roof space remain unused. A courtyard, enclosed by a high stone wall, backs onto the rear lane and a side access gate (off John Street) provides external access into the courtyard.

The property is bound by John Street to the north, a rear lane (permitting access to Tesco) to the east, the adjoining property to the south (61, High Street) and the High Street to the west.

The premises lies within the settlement boundary – Primary Growth Area and within the Town Centre Conservation Area and within a C2 Flood Zone.

PROPOSED DEVELOPMENT

This application seeks planning permission to: convert the attic space into a one bedroom self-contained flat to include a flat roof dormer to the southern side elevation and a roof light to the rear elevation; convert office and staff bedroom at first floor into a one bedroom

flat; convert the basement area in support of the restaurant use and erect a single storey first floor extension to the rear of the premises.

The proposed one bedroom flat within the roof space would be served by a kitchen/living area, bathroom and a terraced area contained within the dormer, accessed off the bedroom and the living area. The dormer would measure 6.3 metres wide, 2.1 metres deep and 2.4 metres in height and would also contain the staircase providing access from the third floor into the attic space. It would be finished with a lead effect GRP (Glass Reinforced Plastic) roof, aluminium bi-fold doors and a glass balustrade.

The proposed flat at first floor would be served by a bedroom, kitchen and shower area.

The existing basement area is currently unused, however, a new internal staircase adjacent to the bar area of the restaurant (at ground floor) would provide direct access into the basement area. The area would be sub-divided into male and female toilets, a store and staff areas in support of the operation of the A3 use (at ground floor).

The proposed first floor extension seeks to provide a kitchen/shower area to serve staff. It would measure 3.2 metres wide, 2 metres deep with a 2.4 metre high lead effect flat grey GRP roof. The extension would be finished with rendered elevations.

The proposed development also includes external alterations at ground floor and third floor. At ground floor, the entrance door onto John Street would be re-instated within the blocked up opening. At third floor, the existing south facing window would be removed and the opening increased in size to provide a Juliet balcony.

Other internal alterations are also proposed at ground, first, second and third floors however, the use of the premises at ground, first, second and third floors would remain unchanged (other than those works referred to above) and as such, these internal alterations would not require planning permission.

PLANNING HISTORY

P/14/0179 - Change of use of second floor to 2 self-contained apartments and 2 hotel rooms, and change of use of third floor to one residential flat – Approved: 1st September 2014

P/99/0169 - Illuminated Logo Sign to rear elevation – Approved: 2nd July 1999

P/98/0259 - 1 No. Fascia Sign and 2 No. Golden Arches logos (internally illuminated) – Approved: 30th July 1998

P/98/0258 - Demolition of existing three storey rear extension and erection of enclosed fire escape and lift shaft plus ancillary works – Approved: 30th July 1998

CONSULTATION

Engineering and Traffic Group Leader	No objection.
Planning Division's Policy & Implementation Officer	No objection.
Conservation Officer	No objection.

Environmental Health Manager

No objection.

Natural Resources Wales (NRW)

No objection.

Welsh Water

No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012, letters were sent to the adjoining property and 2 site notices were displayed within the vicinity of the premises. No letters of representation have been received as a result of this publicity exercise.

POLICY CONTEXT

- Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

Policy BW1 – Development Strategy – Primary Growth Areas

Policy BW4 – Settlement boundaries/location constraints

Policy BW6 – Townscape and built heritage

Policy BW7 – Sustainable design and placemaking

Policy BW8 – Development and the water environment

Policy BW12 – Development proposals and transport

Policy BW17 – Securing community infrastructure benefits

Policy AS19 – Merthyr Tydfil Town Centre

Policy AS22 – Affordable housing contributions

Policy TB11 – Access, parking and accessibility of local facilities

- Supplementary Planning Guidance (SPG)

Note 1 – Affordable Housing (March 2012)

Note 2 – Planning Obligations (March 2012)

Note 4 – Sustainable Design (July 2013)

- Other Guidance: Merthyr Tydfil Town Centre Conservation Area Character Appraisal (June 2009)

This document defines the positive characteristics that contribute to the special historic or architectural interest of the town centre. It also identifies issues that detract from the character and appearance of the area. The application property is highlighted as a locally listed building in the appraisal.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed flats would be acceptable in this town centre location and within a C2 flood zone, and whether the conversion of the basement, erection of a single storey extension and external alterations would be acceptable with regards to their impact upon the appearance of the premises, the character and appearance of the conservation area, residential amenity, parking provision and highway safety.

Principle of Development

The premises lies in the settlement boundary – Primary Growth Area. Development in this location is generally supported provided it complies with the relevant LDP policies and other material considerations. The premises also lies within the town centre boundary, but lies outside the primary shopping area where A1 uses are protected. The conversion of the attic space into a one bedroom flat and the provision of a one bedroom flat at first floor, would therefore be acceptable since such uses above commercial buildings are generally supported in town centre locations as they contribute to the vibrancy of the town centre.

The application site also falls within a C2 Flood Zone as defined by the Development Advice Map (DAM) referred to in Technical Advice Note 15: Development and Flood Risk (TAN15) (July 2004). The Flood Map information confirms the site is within the 1% (1 in 100 year) and 0.1% (1 in 1000 year) annual probability fluvial flood outlines. The ground floor of the premises relates to a commercial use and the conversion of the basement would be used and sub-divided into male and female toilets, a store and staff areas in support of the operation of the A3 use at ground floor, which is classified as less vulnerable development. As such, the conversion of the basement is considered acceptable in this respect. In terms of the residential uses at first floor and within the attic space, these are classified as highly vulnerable development. In this instance however, the provision of the flats at first floor and within the roof space would be above any potential flooding levels, should a flood occur at this location. NRW have therefore not objected to this application.

The proposed development would therefore accord with LDP Policies BW1, BW4, BW8 and AS19.

Character and Appearance

In respect of the proposed dormer, this part of the proposal would amount to one of the most obvious alterations to the building. However, given that it would be sited at such a high level, this alteration would not appear prominent when viewed from the High Street, particularly since it is proposed to the side elevation of the building. The proposed dormer, although a large 'box like' extension, would not dominate the roof of the building. Instead, it would be set down from the main ridge height and set in from either side, resulting in a proportionate addition, finished in appropriate materials. Although flat roof dormers are not normally supported, it is considered that given its discrete location and its surrounding context (where the existing building has already been extended to the rear by other flat roof extensions), it would be deemed acceptable in this instance. Likewise, the roof light is also considered acceptable. This seeks to provide additional light and adequate ventilation into the staircase providing access from the third floor into the proposed flat.

In respect of the single storey rear extension, this is also considered acceptable. Although the siting of this first floor single storey extension would be a prominent addition, it should be noted that this is a small scale development, proposed to the rear of the premises and as such would not be viewed in context with the High Street. Furthermore, the extension would also remain screened when viewing the property from the rear elevation, since it would be largely enclosed by the flat roof three storey rear extension. The proposed extension would therefore be acceptable.

In respect of the external alterations at ground floor and third floor these would also be appropriate. At ground floor, the entrance door onto John Street would be re-instated and

include the retention of the stone headed lintel. The re-use and retention of this original opening would be welcomed. The door in respect of its design and materials would match those existing and would therefore be acceptable. At third floor, the existing south facing window would be removed and the opening increased in size to provide a Juliet balcony which would provide additional lighting into the kitchen area serving the existing third floor flat. This alteration would also be acceptable.

It is therefore considered that the external alterations proposed in association with the proposed flats and other associated works, would be acceptable in this context and would not have an adverse impact on the character or appearance of the premises or the character or appearance of the Town Centre Conservation Area. As such, the Council's Conservation Officer has not raised any objection in respect of this proposal and it would therefore comply with LDP Policies BW6 and BW7.

Residential Amenity

The proposed works have been considered in respect of their impact upon the amenities of nearby occupiers.

In respect of the proposed flats at first floor and within the roof space (with associated dormer and roof light), these would be compatible with the use of the building, which already has flats at second and third floors. As such, further residential uses above an existing restaurant and existing flats would not detract from the privacy or amenities of nearby occupiers and would therefore be acceptable.

Similarly, the first floor extension, which would be sited away from the boundary with other properties and only have a rear facing window, would also be considered acceptable and as such, would not detract from the privacy or amenities of nearby occupiers.

The installation of a roof light, the provision of a Juliet balcony to replace an existing window and the re-instatement of a door at ground floor are also considered acceptable works which would not provide overlooking opportunities into neighbouring properties that would detract from the amenities of nearby occupiers.

It is therefore considered that the proposed development could be carried out without having any significant adverse impact upon the privacy and amenities of nearby occupiers and would therefore comply with LDP Policy BW7.

Parking and Highway Safety

The proposed development would not be served by on-site parking provision and it is noted that an additional two flats in a building already used for residential purposes and a restaurant may increase the demand for car parking. However, the application property occupies a prominent position within a sustainable town centre location, near a variety of facilities and in close proximity to bus stops and a train station. In addition, a public car park lies within close walking distance of the application site. Therefore, the Engineering and Traffic Group Leader has not raised an objection to this proposal. The development would therefore comply with LDP Policies BW7, BW12 and TB11.

Ecology

The proposed development involves works to the attic space and both bat and bird species have been recorded within 500 metres of the site. As such, the Council's Ecologist requested that a Preliminary Roost Assessment (PRA) report be submitted in support of the application. The PRA was received on the 4th December 2019 and concluded that no sign of bats were found during the internal and external inspection of the building and that the building was located within an area providing negligible quality foraging and commuting habitats for bats and negligible suitability to support roosting bats. The report also concluded that no evidence of past or current nesting birds was noted during the surveys either within or on the exterior of the building. The Council's Ecologist considered the conclusions of the report and noted that some areas of the roof are not visible from the ground, given that the building is four storeys and the southern roof pitches cannot easily be observed from the ground. The report also states that the building is completely ecologically isolated from nearby quality foraging and commuting routes, e.g. the Afon Taf due to the lack of habitat features and artificial light sources (street lighting and windows of offices/residential areas). However, the Council's Ecologist has noted that much of the street lighting on the High Street is at a much lower level than the roofline of the four storey building and the lighting is directed downwards. As such, it is possible there could be relatively dark routes (e.g. over rooftops) that would allow bats to commute to quality foraging areas away from the site. The Council's Ecologist therefore concluded that as the roof areas to be disrupted by the works cannot be viewed, it would make them impossible to be effectively assessed via bat activity surveys. Thus, an ecological watching brief/method statement would be required. An amended PRA report which included a method statement (under section 5 (Required Actions)) was therefore received on 10th December 2019. The Council's Ecologist considered the amended report and has not raised any objections provided the development is carried out in accordance with the method statement. The proposed development (which would be conditioned to be carried out in accordance with the PRA received on 10th December 2019), would therefore comply with LDP Policy BW5.

Planning Obligations

Policies BW17 and AS22 consider the requirement for planning obligations and affordable housing respectively. The requirement for an affordable housing contribution, or any other appropriate planning obligations, on the proposed development has been assessed by the Planning Policy Section. In this instance no financial contribution for the provision of affordable housing or any other planning obligation is sought. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit.

Conclusion

It is considered that the proposed development is acceptable in this location and would not adversely impact upon the character or appearance of the premises, conservation area, residential amenity or parking and highway safety. The proposal is therefore considered acceptable and complies with LDP Policies BW6, BW7, BW8, BW12, AS19, TB11.

Finally, I have considered 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"). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider that this decision 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.

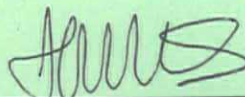
Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Drawing No: LTS193.04.01 Drawing Title: Proposed Plans
- Drawing No: LTS193.04.02 Drawing Title: Proposed Elevations
- Acer Ecology, Woodfired, Merthyr Tydfil, Preliminary Bat Roost and Nesting bird Assessment, received: 10th December 2019

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

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

29/01/2020