

DELEGATED REPORT

Application No:	P/23/0233
Site Address:	Treharris Library Perrott Street Treharris CF46 5ET
Development:	Demolition of extension, replacement of walkway shelter, installation of Air Source Heat Pumps, erection of cycle and bin stores, refurbishment and repair to building and other internal and external alterations
Case Officer:	Adam Foote
Application Expiry Date:	30th November 2023
Consultation reply date expired:	17th November 2023

APPLICATION SITE

The application site comprises Treharris Library, a Grade II listed building (listing ref; 80909) located on a corner plot of Perrot Street adjacent to the access to the public carpark. The site is located within the settlement boundary as established by Policy SW4 of the Local Development Plan (LDP) and its associated proposals map. The site is also within the Treharris Conservation Area and within the defined Treharris Local Centre.

The reason for listing is cited as “Included as a smaller Edwardian public building retaining original external and interior character and detail”. The building consists of two large symmetrical red brick gables with stone features that front directly onto Perrot Street, the entrance is accessed by recessed steps which includes a protruding clock feature. The rear and side elevations are stone walls with an external render finish. The roof consists of a timber pitched structure with a slate covering. The feature windows to the front elevation contain stained glass leaded windows protected by external metal grills. The building is used as a library at ground floor entrance level. The lower ground level is used for storage and has a meeting room for community groups.

PROPOSED DEVELOPMENT

This application seeks consent for the construction of a replacement covered canopy entrance to the building, removal of a rear entrance porch, the erection of a boundary fence, cycle parking, hard and soft landscaping, internal works and maintenance of the building. Listed Building Consent is being sought and is being considered separately under a concurrent application (P/23/0232). The works proposed to be carried out are substantially the same as those that were proposed and approved in 2014 planning application ref P/14/1004. The proposed development includes;

- New kitchen to replace existing
- New DDA Compliant WC in lieu of store room and single WC
- New reception desk with DDA compliant access, located in existing position
- Removal of existing walkway shelter
- New staff room near rear stairwell
- Demolition of DDA WC extension to the rear (unsafe structure).
- Upgrading external works relate to fencing, bin store, cycle store, hard and soft landscaping.
- Lower ground floor to be completely reconfigured to form two training rooms

Alterations to the building fabric include:

- Repaired slate roof covering, including all lead work and timber structural repairs where necessary.
- Cleaning /repair to stone features.
- Replace/ redecoration of external render.
- Specialist repair of stained glass windows.
- Installation of internal secondary glazing.
- Complete new electrical services, including, lighting and power.
- Replacement of gas boiler and heating system with new heat pumps, with underfloor heating, retaining existing radiators.
- Removal of dry lining to allow external walls to be assessed and new ventilated linings applied where necessary.

PLANNING HISTORY

P/96/0153	Change of use of Police house from residential dwelling unit to office accommodation	Approved
P/03/0600	Erection of rear extension	Approved
P/04/0001	Erection of rear extension (Listed Building consent)	Approved
P/14/1004	External renovations including window replacement, re-render and reinstatement of decorative cupola Erection of rear extension (Listed Building consent)	Approved
P/23/0232	Demolition of extension, replacement of walkway shelter, installation of Air Source Heat Pumps, erection of cycle and bin stores, refurbishment and repair to building and other internal and external alterations	Under consideration

CONSULTATION

Planning Policy Officer

No objection

Planning Ecologist	No objection
Head of Engineering and Highways	No objection
Environmental Health	No objection
Estates	No objection
Glamorgan Gwent Archaeological Trust	No objection subject to conditions. (The proposal will require archaeological mitigation).
Dwr Cymru Welsh Water	No objection
South Wales Fire and Rescue	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, site notices were displayed within the vicinity of the site. No representations were received as a result of this publicity exercise.

POLICY CONTEXT

National Planning Policy

The Future Wales – the National Plan 2040
 Planning Policy Wales (PPW) Edition 12 (February 2024)
 The Planning (Listed Building and Conservation Areas) Act 1990
 Historic Environment (Wales) Act 2016

Technical Advice Notes (TAN)

TAN 4: retail and commercial development
 TAN 5: Nature Conservation and Planning
 TAN 12: Design
 TAN 18: Transport
 TAN 24: Historic Environment

Local Planning Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 Settlement Boundaries
 SW11 Sustainable Design and Placemaking
 Policy SW12 Improving the Transport Network 47. Policy SW13 Protecting and Improving Local Community Facilities
 Policy CW1 Historic Environment
 Policy EnW1 Nature Conservation and Ecosystem Resilience
 Policy EnW2 Internationally and Nationally Protected Sites and Species

Policy EnW4 Environmental Protection
Policy EcW3 Retail Hierarchy – Supporting Retailing Provision
Policy EcW5 Town and Local Centre Development

PLANNING CONSIDERATIONS

The primary considerations in the determination of this application are; the principle of the development, visual amenity and impact upon the character of the area, impact upon the living conditions of neighbouring occupiers, highway safety and ecology.

Principle of the development

The application site is located within the settlement boundary and the other growth area as identified by Policy SW4 (Settlement Boundaries) of the LDP and its associated proposals map, where there is a presumption in favour of development and the efficient use of land is encouraged. Furthermore, given the location of the site within the local centre, LDP Policy EcW5 (Town and Local Centre Development) is applicable in establishing the principle of development. EcW5 supports developments that will contribute towards its aim of “enhancing the vitality and viability of the Town and Local Centres”. It is considered that the proposed development assists in achieving this aim by improving the fabric of the existing building to safeguard its future to continue as a community use and will result in an overall improvement to its visual appearance having a positive impact upon the character of area. As no change of use is sought no conflict with the requirements of the policy have been identified.

Visual Impact/Character of the area

This application proposes a number of physical alterations to the building, those on the interior and the minor repairs/replacement of existing fabric are subject of the concurrent application for listed building consent.

The proposed alterations for which planning consent is sought consist of a number of minor alterations/developments to the exterior of the building. The replacement canopy and DDA compliant entrance, although readily visible within the public realm are considered to be discreetly sited and small scale therefore not resulting in any prominent visual feature that would compete with the existing building. Given the existing structure in situ, it is considered that the proposal will be a visual improvement that is more in keeping with the design of the existing building and character of the area.

The bin store and cycle store as proposed are considered to be visually acceptable and given their siting to the side and rear of the building will not result in a visually prominent feature that would detract from the character of the listed building or the wider area. It is proposed that a 1.8m high vertical metal railing gate with locking mechanism is to be installed to the rear of the building for security purposes. This is would be constructed as a continuation of the existing fencing to the rear. It is not considered that the fencing would result in any unacceptable detrimental impact upon the visual amenity of the area or upon the character and appearance of the listed building or the wider area due to its scale, position and design. It is however considered necessary for an example of the exact type of fencing to be used be submitted to the LPA for approval prior to the commencement of development. Extending from the fencing a 900mm railing is proposed to be constructed of galvanised steel, again due to the scale, siting and acceptable design/proposed finish, it is

not considered that this element of the proposal would result in any unacceptable adverse impact visually or upon the character of the listed building or wider area.

Three Air Source Heat Pumps are proposed to be sited to the rear of the building, these are required in accordance with the proposed heating strategy for the building to achieve the Council's aims of improving energy efficiency across its building stock. The pumps are proposed to be sited in a discreet location that would not be readily visible from the public realm. It is considered that due to their limited scale and siting that any visual impact would be minor.

Overall, the development is considered to be acceptable, with the elements as proposed resulting in either a visual improvement or having a neutral impact upon the visual amenity/character and appearance of the building and wider area. The proposed development has been considered against LDP Policies SW11 and CW1, no conflict has been identified.

Residential Amenity

The application site is located within close proximity to a number of residential properties. However due to the relationship between the site and the nearby dwellings, in combination with the limited extent of the works proposed, it is not considered that there would be any unacceptable adverse impact upon the living conditions of neighbouring occupiers as a result of the development proposed. The Council's Environmental Health department has been consulted on this application and have raised no objection. No conflict with the relevant criterion of LDP Policy SW11 has been identified.

Highway Safety

The application site occupies a corner plot on a busy stretch of highway adjacent to the entrance to a public car park and proposes works adjacent to existing parking spaces. Accordingly, the Head of Engineering and Highways has been consulted on this application and no highway safety concerns have been raised. Nor would the development have an adverse impact on the free flow of traffic in the area. The proposal is considered to comply with the requirements of LDP Policy SW12.

Ecology

The proposed development consists of a number of alterations to the building including re-roofing and the demolition of a small rear extension. Accordingly, this application is supported by an ecological survey, which confirms that the building is a roost for a single common pipistrelle bat. Therefore a European Protected Species Licence will be required along with mitigation and compensation measures prior to any works commencing on the building. No evidence of breeding birds was found on the exterior or interior of the building.

In accordance with Natural Resources Wales Good Practice Guide "NRW Approach to Bats and Planning" this development is classified as low risk and therefore the view of NRW has not been sought on the proposed development. The proposed mitigation for the proposed development as detailed within the accompanying ecological survey is detailed as, two bat access slates to be installed on the western pitch of the roof to allow the bat to gain access to the roof where it does currently. As the property is to be re-roofed only, the bat will continue to have access to the whole of the roof that it does currently. It is considered necessary to attach a condition for a plan showing the proposed

mitigation/enhancement to be submitted for approval prior to the commencement of development.

As the proposal involves works that will affect bats or their roosts, an EPS licence is required. As part of the assessment of this planning application, it is necessary to consider whether an EPS license is likely to be granted. EPS licences are issued by Natural Resources Wales only after the following three tests have been satisfied:

- The proposed works must be for the purpose of preserving public health or safety or other imperative reasons of overriding public interest, including those of a social or economic nature
- There is no satisfactory alternative to the proposed works.
- The proposed works will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

Having regard to the three tests, and on the basis of the mitigation put forward in the bat survey report, it is considered that an EPS license is likely to be granted. The existing building has been surveyed and the works are considered essential to safeguard its retention on a long term basis. To refuse this application would potentially result in a derelict listed building. As such, the proposed works, with appropriate mitigation, is the preferable option. Appropriate mitigation has been proposed and the proposed works would not be detrimental to the maintenance of the bat population in this area. The proposed impact on ecology is therefore considered acceptable, subject to the mitigation measures put forward in the bat survey report being implemented. Appropriate mitigation will also be agreed as part of the EPS license issued by NRW, however, for the purposes of this application, a condition can be attached requiring the mitigation measures set out in the bat survey report to be carried out.

The Planning Ecologist has provided comments on this application and although no objection is raised, a request for details in relation to the proposed compensation/mitigation and lighting has been requested prior to the determination of this application. It is considered that these points can be controlled via condition and the details provided at a later stage. The supporting ecological survey has been produced by a competent person and outlines appropriate mitigation and compensation, therefore it is considered that the proposed development accords with the requirements of LDP Policy EnW1 and section 6 of PPW12.

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.

For the above reasons the proposed development is acceptable and complies with the relevant circular advice and LDP policies. 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:

Treharris Library, Treharris Design/Proposal Statement

Proposed LFG and GF Heating Layout Drawing No. DR-1302-M-06 Rev T2

Heritage Impact Assessment V3

TREHARRIS LIBRARY, TREHARRIS, MERTHYR TYDFIL, BAT SURVEY, ISSUE 1, VERSION A

MEP Stage 4 Luminaire Schedule (DR 1302)

OS Plan

Proposed Plans & Elevations Drawing No. 2217-002 Rev I

Proposed Section 01 Drawing No. 2217-003 Rev E

Proposed Section 02 Drawing No. 2217-004 Rev B

Proposed Section 03 Drawing No. 2217-005 Rev A

Side Entrance Canopy Drawing No. 2217-010

Eaves Detail Drawing No. 2217-011

Ridge Detail Drawing No. 2217-012

Valley Gutter Detail Drawing No. 2217-013

Copula Vent Drawing No. 2217-014

External Door Side Entrance Drawing No. 2217-015

External Door Basement Drawing No. 2217-016

Stained Glass Window Detail Drawing No. 2217-017

Bin Store Drawing No. 2217-018

Cycle Stand Drawing No. 2217-019

General Arrangement Drawing No. 16885C V1

Proposed LGF and GF Lighting and Fire Alarm Layout Drawing No. DR-1302-E-01 Rev

TO Proposed LGF and GF Small Power and Ancillary Services Drawing No. DR-1302-E-02 Rev TO

Proposed Roof Level Lighting and Fire Alarm Layout Drawing No. DR-1302-E-03 Rev TO

Proposed Roof Level Small Power and Ancillary Services Drawing No. DR-1302-E-04 Rev TO

Proposed LGF and GF Ventilation Layout Drawing No. DR-1302-M-02 Rev T1

Proposed Roof Level Ventilation Layout Drawing No. DR-1302-M-03 Rev T1

Proposed Ventilation Elevations and Sections (Sheet 1 of 2) Drawing No. DR-1302-M-04 Rev T1

Proposed Ventilation Elevations and Sections (Sheet 2 of 2) Drawing No. DR-1302-M-05 Rev T1

Proposed LFG and GF DWS Drawing No. DR-1302-M-08 Rev T1

Proposed Roof Level Heating Layout Drawing No. DR-1302-M-07 Rev T1

Proposed Plantroom Layout Drawing No. DR-1302-M-09 Rev T1

Proposed LFG and GF Above Ground Drainage Drawing No. DR-1302-M-19 Rev T1

Proposed Mechanical Schematic Drawing No. DR-1302-M-11 Rev T1

Proposed Plantroom Layout Drawing No. DR-1302-M-12 Rev T1

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

3. **Prior to the commencement** of the development hereby approved a plan detailing the type and location of the mitigation outlined in approved document "BAT SURVEY ISSUE 1, VERSION A" shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. A 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 kill, injure, capture or disturb a bat 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 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/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>
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.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 02.05.2024