

DELEGATED REPORT

Application No:	P/24/0260
Site Address:	34-38 High Street Merthyr Tydfil CF47 8DE
Development:	Demolition of buildings
Case Officer:	Mr Gareth Davies
Site Visit:	20th November 2024
Application Expiry Date:	14th February 2025
Consultation reply date expired:	19th December 2024

APPLICATION SITE

The application site in this instance is comprised in a number of shop units located on the eastern side of High Street at its Southern end. The Shops are all of two storey construction and of varying age and appearance. All properties face High Street and benefit from an unnamed service lane to the rear between the property and the Merthyr – Cardiff railway line. The application properties are located between the railway station and the new bus station. All of the properties are currently vacant though were previously occupied as follows: -

- Former British Red Cross Building 34-36 High Street
- Former Peacock's building 37 high Street
- Former Monique's Shop 38 High Street

The application properties are located within the town centre retail area and town centre conservation area.

The application is supported with the following documents: -

- Heritage Statement
- Internal Inspection Report

PROPOSED DEVELOPMENT

This application seeks Conservation Area Consent for the demolition of No. 34 – 38 High Street Merthyr Tydfil. Each of the properties would be demolished to the underside of their

foundations including removal of the ground floor construction. Redundant drainage is to be capped or removed. Demolition spoil will be removed from site. Existing cellars and excavations will be backfilled with a suitable capping provided to street level.

The site will be enclosed to the front (west) and rear (east) of the site, both during the demolition period and thereafter until a suitable scheme for the re-use of the site has been fully developed and approved. During the demolition period this will comprise a combination of timber hoarding on High Street and Heras fencing to the rear lane to facilitate access/egress. Post demolition works the front and rear boundaries will be closed off with 2.4m high wooden hoardings.

It should be noted that the demolition works would also expose the gable walls of Howfields Hotel and the Sunflower Café. These would be made weatherproof through the application of a sealed breather membrane and tanalised batten to the exposed areas of those properties. Similarly, the cellar area of adjacent properties will also be protected from any exposure to the elements. This would be a temporary solution and both properties would be provided with a permanent solution appropriate to the conservation area under a future proposal to create a public open space at this location.

Proposed levels for the site on completion of the demolition indicate a rise from west to east of approximately 1.3m, climbing more steeply towards the rear of the site. This is considered broadly reflective of the natural difference in levels between High Street and the element of Masonic Street that runs to the rear of the properties.

PLANNING HISTORY

P/98/0008 – alterations to the front and rear elevations – Approved with conditions 3rd March 1998

P/04/0002 – retail of computer equipment business and domestic IT services – Approved 4th February 2004

CONSULTATION

Head of Engineering and Highways – no objections subject to a condition for traffic management during the demolition process.

Planning Ecologist – expresses concern that the development should be subject to requirements to both replace and enhance biodiversity benefit through the provision of appropriate levels of bird and bat box provision.

Environmental Health Manager – raise no objections to the proposed development and suggest the use of conditions relating to the hours of operation, the control of dust and the appropriate disposal of any waste arising from the proposed development.

PUBLICITY

In accordance with the Town & Country Planning (Listed Building and Conservation Area) Regulations 1990, the application has been advertised by means of press notice in a local newspaper, site notices displayed within the vicinity of the site and notification letters to neighbouring properties. No observations or objections have been received as a result of this publicity exercise.

POLICY CONTEXT

Future Wales the national Plan 2040

Relevant policies include the following: -

Policy 1 – where Wales will grow.

Policy 2 – shaping urban growth and regeneration – strategic placemaking.

Policy 6 – town centre first.

Policy 12 – regional connectivity.

Policy 33 – national growth area – Cardiff, Newport, and the Valleys.

Policy 36 – South East Metro.

Planning Policy Wales 12 2024 (PPW)

Paragraph 6.1.15 advises with regard to conservation areas stating the following: -

“There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character and appearance of a conservation area or its setting to an unacceptable level. In exceptional cases the presumption may be overridden in favour of development considered desirable on public interest grounds”

PPW Technical Advice Note 24 - The Historic Environment 2017

Provides guidance on how the planning system considers the historic environment in development plan preparation and decision making on planning and listed building applications. The TAN provides specific guidance on managing the historic environment including proposals within conservation areas.

Additionally, the following have also been considered all of which would offer differing amounts of support for the proposed development.

TAN 4 – Retail and Commercial Development

TAN 12 – Design

TAN 18 – Transport

The Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016 – 2031

The local development plan sets out a series of objectives and the following are considered most relevant in the determination of the current proposals.

- LDP Objective 4 Regeneration: to promote the re use of suitable previously developed land and the continued regeneration of local communities.

- LDP Objective 5 Infrastructure: to ensure that community infrastructure and open space supports the regeneration of local communities.
- LDP Objective 6: sustainable design: to promote high quality sustainable and inclusive design and support measures which mitigate the predicted effects of climate change.
- LDP Objective 7 Transport: to support an integrated transport system, promote active travel and ensure that new developments are accessible by walking cycling and public transport links.
- LDP Objective (heritage and cultural assets: to protect, enhance and promote all heritage, historic and cultural assets.
- LDP Objective 10 biodiversity: to improve ecosystem resilience and connectivity which supports habitats and species of principal importance.
- LDP Objective 14 Town and Local Centres: to develop the town and local centres as accessible, attractive, viable and vibrant places.

The following LDP policies are relevant:

- Policy SW4 – Settlement Boundaries: defines the settlement limits within the Local Development Plan.
- Policy SW10 – Protecting and Improving Open Spaces: supports proposals that that improve the quality, quantity, or access to open space.
- Policy SW11 – Sustainable Design and Placemaking: requires development to contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design that amongst other things should integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape.
- Policy SW12 – Improving the Transport Network: supports improvements to the transport network and proposals that encourage the modal shift towards sustainable transport.
- Policy CW1 – Historic Environment: indicates that development proposals will only be permitted where it can be demonstrated that they would preserve or enhance the architectural quality, character or the historic or cultural importance of designated historic environment assets.
- Policy EnW4 – Environmental Protection: requires development proposals to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment.
- Policy EcW3 – Retail Hierarchy – Supporting Retailing Provision: identifies Merthyr Tydfil Town Centre as a favoured location for retail, leisure and other complementary development. Proposals for new and enhanced retail, leisure and other complimentary provision will be permitted where they improve the vitality and viability of the centre.
- Policy EcW5 – Town and Local Centre Development: supports development that would enhance the vitality and viability of the town and local centres.

PLANNING CONSIDERATIONS

This application for Conservation Area Consent for Demolition is being made on behalf of Merthyr Tydfil CBC. In such circumstances the Council are not the determining authority and the final decision in respect for this matter rests with the Welsh Ministers who will be advised in the matter by the Welsh Government Planning Division.

As part of the wider Merthyr Interchange Link project it is proposed to demolish a number of shops located between the Railway Station and recently relocated bus station with the intention of opening up a clear and recognisable connection between the two principal transport hubs serving Merthyr Tydfil.

The focus of the application are the three vacant buildings at 34-38 High Street. Prior to their acquisition by the Council these buildings had been in private ownership for many years and had only experienced a steady decline in their fabric and appearance. In that time, no substantive proposals were brought forward to regenerate these buildings and bring a halt to their decline, (see the planning history above). The continued failure of the private sector regarding these specific buildings demonstrates that public sector intervention is essential if the situation is to improve. This scheme is the first step in halting that decline and providing a coherent link between the two transport hubs. Whilst it is always preferable to repair and restore buildings within the conservation area in this instance it has to be kept in mind that two of the three buildings are not traditional Victorian structures and date from the early and mid 20th century and contribute little to the conservation area as a whole. Moreover, it has to be kept in mind that this is the first step in establishing an area of public open space that will provide a coherent link between the railway and bus stations to the benefit of the conservation area itself and the wider town centre.

MTCBC is committed to driving forward the regeneration of its principal town centre bringing forward a vibrant attractive accessible and cogent retail area that is open to all. It is with this in mind that the Council has acquired the site with a view towards creating a coherent link between the railway station and bus station that also provides easy access to the shops and shopping centre. The approach adopted is entirely appropriate in developing a town centre where people can live work and socialise within one of the key investment hubs in the Cardiff Capitol Region.

The proposals are strongly aligned with the key objectives of the Local Development Plan outlined above and are not at odds with any of the other objectives of the Plan. The principal thrust of planning policy in respect of conservation areas is to conserve and enhance for the benefit of the wider community. This will on occasion mean that in circumstances where the private sector has allowed buildings within a conservation area to decline in the manner that they have in this case, it is appropriate for the Local Authority to intervene and seek a better solution. Whilst it is always preferable to restore failing buildings in the conservation area, in this instance the removal of the buildings will result in minimal harm to the conservation area, given their dilapidated appearance and the fact

that two of the three buildings are themselves later additions to the High Street, that make a negligible contribution to the quality of the conservation area, as noted in the heritage impact assessment that accompanies the application. Moreover, this application is the first step in providing a better solution that will improve the conservation area and improve movement within the town in accordance with wider policy objectives.

A key element in the regeneration of the town centre is in recognising and supporting the existing architecture and built heritage that exists within it. These properties are of varying age and add little or nothing (possibly even detract) from the built quality of the town centre and conservation area. Two of the three buildings are modern infill buildings which as they stand appear out of context with the traditional buildings along the high street. The proposed building works would not result in a loss of buildings of historic importance. Whilst it is always favourable in the first instance to explore how the existing built fabric can be improved or redeveloped to better serve the needs of the town, in this instance their removal would be of greater benefit to the town centre and conservation area through the removal of dereliction and in providing the town with a clear interchange link. The extent of harm resulting from the proposed development would be the loss of the buildings disrupting the established building lines and frontage which itself is somewhat irregular. However the benefits of the proposed development in the removal of dereliction and the creation of public open space which is part of a network of open spaces within the town centre that also creates a coherent link between transport hubs clearly outweighs any loss.

The intended after use for the site following clearance, subject to funding, would be to develop a clear link between the railway station town centre and bus station. The design process for this is still under consideration and it would be subject of a future planning application. It is the intention that the timetable for redevelopment would provide a seamless and timely transition between demolition and redevelopment as a link and public space. This will include permanent and appropriate finishes being applied to the gable end walls of The Sunflower Café and Howfields Hotel.

The Environmental Health Manager has suggested that measures be put in place to control the demolition times, dust and the disposal of waste. This can be adequately secured as a condition of any consent granted.

CONCLUSIONS

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.

The current standing buildings are now vacant and present a shabby appearance at a key location on the high street. Moreover, for the most part they are not built in the traditional style that one would expect to see in a valleys town rather, they look like later accretions. The proposed demolition is the first in a two-step process that has the potential to deliver significant benefits to the town in terms of legibility of movement and in its overall appearance and as such a recommendation of support for this development is made.

RECOMMENDATION: **BE APPROVED** subject to the following **CONDITIONS:**

1. The development hereby granted consent shall be begun not later than the expiration of five years beginning with the date of this consent.

Reason - To comply with Section 18 of the Planning (Listed Building and Conservation Area) Act 1990.

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

- Location plan drawing number MIL-WSP-XX-XX-DR-S000002_T01
- Site boundary plan drawing number MIL-WSP-XX-XX-DR-S000003_T01
- Howfields Hotel gable end remedial works drawing number MIL-ESA-PR-XX-DR-A060100_P01
- Sunflower Café gable end remedial works drawing number MIL-ESA-PR-XX-DR-A-060100_p01
- Plan showing extent of demolition drawing number MIL-WSP-XX-XX-DR-S-000004_T04
- Temporary fencing layout and detail drawing number MIL-WSP-XX-XX-DR-S-000005_T01
- Permanent fencing layout and detail drawing number MIL-WSP-XX-XX-DR-S-000006_T02
- Structural works to the gable end of Howfields Hotel drawing number Mil-WSP-XX-XX-DR-S-000007_t02
- Remedial works to the rear of Sunflower café drawing number MIL-WSP-XX-XX-DR-S000008_T02
- Proposed levels drawing number MIL-WSP-XX-XX-DR-S_T09

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

3. A demolition management plan shall be submitted and approved in writing by the local planning authority prior to the commencement of any work on site. This document should include the following details :

- The means of access into the site for all demolition traffic.
- The location on site for the parking of vehicles of site operatives and visitors.
- The management of vehicular and pedestrian traffic.
- Wheel-cleansing facilities.
- The sheeting of lorries leaving the site.
- Temporary traffic management.
- Vehicle routing for all HGV traffic associated with the demolition site.
- Details on the size of vehicles entering/exiting the site to ensure they are suitable for the means of access.

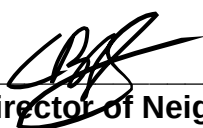
- The anticipated number / type of the vehicles entering/existing the site per day and demolition timescale.
- Dust monitoring
- Waste management and disposal

Reason - In the interests of road safety and local amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Demolition works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 21.01.2025