

DELEGATED REPORT

Application No:	P/21/0273
Site Address:	1-6 Pontsarn Close Pontsarn Merthyr Tydfil CF48 2TW
Development:	Refurbishment of flats including re-roofing, installation of external wall insulation system, new windows and doors and new door entry system
Case Officer:	Caroline Pulley
Site Visit:	3rd August 2021
Application Expiry Date:	16th September 2021
Consultation reply date expired:	30th May 2022

APPLICATION SITE

The application site comprises a four-storey block of flats located in Pontsarn Close in Pontsarn. The main building is split-level with three storeys at the front with basement below and has a single storey wing either side. The building has a yellow buff brick finish with white uPVC windows and a slate roof. It is set back from the road serving Pontsarn Close by approximately 13m and is served by a driveway along its south-eastern boundary.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the external refurbishment of Pontsarn Flats. The key aspects of the proposed external works are:

- The retention of an artificial Cambrian slate roof covering with crested clay ridge tiles.
- The installation of new uPVC windows. These would be replaced on a like for like basis and the agent has confirmed that some of the windows have already been replaced;
- Installation of a new door entry system and white steel entrance doors
- Application of external wall insulation comprising a brick slip finish to the lower levels and a render finish to the upper levels.

The application is accompanied by a Bat Activity Survey and a Preliminary Roost Assessment (PRA). A sample panel of the proposed external wall insulation has also been provided as part of the application.

PLANNING HISTORY

P/05/0358 Attic conversion including insertion of roof lights
Approved – 28.09.05

CONSULTATION

Ecologist: No objection, subject to conditions.

Environmental Health Manager: No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and a site notice was displayed within the vicinity of the site

One letter of objection has been received from the resident of 4 Pontsarn Flats and is summarised as follows:

- The building is of historic interest and is relevant to the towns industrial past. The installation of cladding to the exterior walls will replace the original aesthetic of the brick and stone exterior with an artificial brick and render façade, which will destroy the integrity of the original brick and stone. All architectural features will be lost including original stone window ledges, which will be covered in UPVC.
- The suitability and need for the external wall insulation.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Section 3.7 advises '*Good Design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources....*'.

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

TAN 12 - Design 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.

Local Policy

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

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy SW12 – Improving the Transport Network

Policy SW13 – Protecting and Improving Local Community Facilities

Policy CW1 - Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Policy EnW5 – Landscape Protection

Policy EcW8 – Renewable Energy

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

PLANNING CONSIDERATIONS

The main issues to consider in the determination of this application relate to the visual impact of the proposed development on the character of the existing building and wider streetscene, as well as any impact to the residential amenity of the neighbouring properties.

Visual Impact

In terms of visual impact, the proposed external wall insulation would affect all external elevations of the building and therefore be highly visible from the road and within the streetscene of Pontsarn Close. Although it is acknowledged this aspect of the proposal would materially alter the appearance of building and result in the loss of some architectural features, the building is not a Listed Building, which would afford it statutory protection. Additionally, it has not been identified as a locally important building for either its historical or architectural merit nor is located within a defined conservation area. Taking this into account, it is not considered that the visual appearance of the external wall insulation would significantly harm the visual appearance of the existing building or the character of the surrounding area to a degree which would warrant the refusal of planning permission. The windows are to be replaced with 'like for like' replacements which does not require planning permission but are nonetheless considered acceptable. Likewise, the proposed white steel doors and door entry system are also considered acceptable. It is therefore concluded that the proposal represents an acceptable form of development which complies with Policy SW11 of the LDP.

Impact on Existing Occupiers and Neighbouring Properties

Due to the nature and scale of the proposed development, it is not considered that there would be any adverse impacts caused to the residential amenity of any of the existing occupiers or the neighbouring properties which adjoin this site.

Ecology

The application is supported by a Preliminary Roost Assessment and a Bat Activity Survey. These reports confirm that the building supports a common pipistrelle day roost. In addition, it highlights that bats are likely to be foraging and commuting in the surrounding landscape. On review of these reports, the Council's Ecologist has raised no objection to the application, subject to the proposed enhancement/mitigations (i.e. bat access points, swallow nest cups, sparrow terrace) measures being secured by means of a condition. The applicant has confirmed that a licence has already been obtained from NRW for the roofing works which have already taken place at the property. However, it should be noted that the Council's Ecologist has advised that a further licence would need to be obtained from NRW prior to the installation of the proposed external wall insulation.

Conclusion

Finally, 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 be carried out in accordance with the following approved plans and documents:

Proposed Elevations Drawing no. 078937-CUR-00-ZZ-DR-S-21001-P03 received on 05.05.2022

Proposed Sections Drawing no. 078937-CUR-00-ZZ-DR-S-21002-P01 received on 05.05.2022

Bat Activity Survey September 2020 received on 09.08.2021

Preliminary Roost Assessment March 2020 received on 09.08.2021

Bat Method Statement received on 09.08.2021

NRW Licence Application Form DF1A13ADBCCC4F2CB4431C2A4796A4B3

Letter from Soltysbrewster Ecology received by email on 17.06.2022

Wetherby Building Systems Specification Brochures

Sample Panel for External Wall Insulation - Brick Slip Finish and Silicone Render Finish

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

INFORMATIVES

1. The developer should be aware that 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/specieslicensing/apply-for-a-protected-species-licence/bat-licences/?lang=en> '

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.

3. The Developer is advised to check and confirm the positions of all boundaries **BEFORE** construction works commence.

Any discrepancies or problems of interpretation of boundary lines shall be resolved amongst all interested parties **BEFORE** works commence.

Failure to comply with this information could lead to civil action being brought against the developer by aggrieved parties.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

8/7/22