

DELEGATED REPORT

Application No: P/20/0141

Site Address: 51 And 52 Glebeland Street
Merthyr Tydfil

Development: Convert 1st and 2nd floors from offices into 4, 1 bedroom flats, to include external alterations

Case Officer: Marlene Ferreira

Site Visit: 21st July 2020

Application Expiry Date: 9th December 2020

Consultation reply date expired: 31st July 2020

APPLICATION SITE

The application site relates to the first and second floors of the three storey premises at 51 and 52 Glebeland Street, in Merthyr Tydfil Town Centre. The front of the building is finished in red brickwork with timber windows and a timber shopfront at lower ground floor. The rear is finished with rendered elevations and timber windows, however, these appear to be in a poor state of repair. The roof of the premises is slate. The premises appears to have been extended to the rear by means of a first floor rear extension and is enclosed by a rear brick wall. There is no on-site parking provision serving this premises.

The premises has been vacant since 2012, including the ground, first and second floors of the building. The first floor offices were formerly run in support of the Merthyr Express newspaper.

The application site lies within the settlement boundary – Primary Growth Area, Town Centre boundary and within the Town Centre Conservation Area. It also lies within a C2 Flood Zone, as designated within the Merthyr Tydfil Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the first floor and second floors of the premises from offices (B1 use class) to 4, 1 bedroom flats (C3 use class).

The first floor of the premises would be converted from 3 offices with associated boiler room and plant room, into 2, 1 bedroom flats. The kitchen/living area and bedrooms would be provided within the main part of the building, whilst the bathroom and storage areas would be provided to the rear of the premises within the rear extension. The second floor

of the premises would be converted from 2 offices, associated staff room and male and female toilets into 2, 1 bedroom flats. All flats at first and second floor would be accessed via a new main entrance off Glebeland Street.

Externally, in addition to the new entrance door off Glebeland Street to provide access to the flats, new sliding sash timber windows would be installed at first and second floors, to the front of the premises and the existing slate roof would be made good where necessary. To the rear, at second floor, the two dormer window cill height openings would be lowered and new UPVC sliding sash windows would be installed. At the first floor rear elevation, two new UPVC rear windows (to serve the bedrooms) would be installed (one of which would also be have a reduced cill height). To the rear elevation of the rear first floor projection, three small barred windows would be infilled and the existing render made good, and new upvc windows would also be installed to its side elevations.

PLANNING HISTORY

P/20/0170 - Change of use from offices (B1) to shop (A1) (Ground floor) – Approved: 21st September 2020.

CONSULTATION

Engineering and Highways Manager	No objection.
Policy Section	No objection.
Environmental Health Manager	No objection.
Natural Resources Wales (NRW)	No objection.
Welsh Water Dwr Cymru	No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) Order (Wales) 2012, nearby properties were consulted and two site notices were displayed in the immediate vicinity. No letters of representation have been received as a result of this publicity exercise.

POLICY CONTEXT

National Planning Policy

- Planning Policy Wales (edition 10, December 2018)

Paragraphs 4.3.30, 4.3.33 and 4.3.34 refers to mixed uses in centres and state *'...Although retailing (A1) uses should underpin retail and commercial centres, it is only one of the factors which contribute towards their vibrancy....' '...Vibrant and viable centres are distinguished by a diversity of activity and uses which should contribute towards a centre's well-being and success, whilst also reducing the need to travel. Development plans should include policies describing the types of use that are likely to be acceptable in primary and secondary areas...' '...Leisure and entertainment, and food and drink uses can benefit retail and commercial centres, and with adequate attention to safeguarding*

amenities can contribute to a successful evening economy. In addition to general diversity of uses, mixed use developments, which combine retailing with entertainment, restaurants and, where appropriate, residential in a comprehensive and planned way should also be encouraged where appropriate to promote lively centres during both the day and the evening...

Paragraph 3.7, 3.9, 3.10, 3.12 and 4.2.17 discusses good design and the use of previously developed land '*...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 (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development...*' '*...The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations...*' '*...In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important...*' '*...Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys...*' '*...Maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites. For example, sites and allocations which are no longer likely to be needed for office, industrial or retail purposes may be appropriate locations for housing...*'

Paragraph 6.1.14 talks about conservation areas '*...There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed...*'

- Technical Advice Notes (TANs)

Technical Advice Note 15: Development and Flood Risk (2004)

Section 5 of TAN 15 considers the vulnerability of different land uses to flooding and identifies three separate development categories, emergency services, highly vulnerable development and less vulnerable development. Sections 6 and 7 of TAN 15 relates to the justification of development types within flood zones and whether a flood consequent assessment is required.

Technical Advice Note 24: The Historic Environment (May, 2017)

Section 1.14 of TAN 24 refers to conservation principles and '*... recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain local distinctiveness and a sense of place. The use of an objective, structured approach to identify the elements of historic character and creating an evidence base is vital...*'

Local Planning Policies

- The Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW1: Provision of New Homes

Policy SW4: Settlement Boundaries

Policy SW9: Planning Obligations

Policy SW11: Sustainable Design and Place Making

Policy CW1: Historic Environment

Policy EnW1: Nature Conservation and Ecosystem Resilience

Policy EnW4: Environmental Protection

Policy EcW3: Retail Hierarchy- Supporting Retail Provision

Policy EcW5: Town and Local Centre Retailing Areas

- Supplementary Planning Guidance:

SPG Note 4: Sustainable Design (July 2013)

SPG Note 5: Nature and Development (May 2015)

- 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.

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 they would be acceptable with regards to their impact upon the character and appearance of the premises, residential amenity, ecology, parking provision and highway safety.

Principle of Development

The premises lies within the settlement boundary - Primary Growth Area. SW4 states that new development in this location is considered acceptable in principle, provided it is compatible with other relevant LDP Policies and material planning considerations. The premises also lies within the town centre boundary, but lies outside the primary shopping area where a change of use from A1 uses to other uses are generally resisted unless they can meet the criteria set out under EcW5. In this instance however, the proposal seeks to change a B1 use class to a C3 use class and LDP Policies EcW3 and EcW4 are therefore

relevant. LDP Policy EcW3 relates to retail hierarchy and states that Merthyr Tydfil Town Centre is the favoured location for retail and other complementary uses where they improve the vitality and viability of the town centre. LDP Policy EcW5 supports development that enhances the vitality and viability of the Town Centre. Whilst the occupation of the site as offices was also an acceptable complementary use, the premises has been vacant for a significant period of time, in excess of 5 years, and as such, the proposed C3 use, would bring the premises back into usage and positively contribute to the long-term sustainability of the premises. Furthermore, as the flats are proposed at first and second floors only, it would not directly affect the vitality and viability of Glebeland Street or the wider Town Centre nor would it have a detrimental impact upon local service provision in the centre. The proposed development would therefore comply with LDP Policies SW4, EcW3 and EcW5.

The site is also sited 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 to be within 1% (1 in 100 year) and the 0.1% (1 in 1000 year) annual probability fluvial flood outlines of the River Taff, a designated main river. Residential development is classified as highly vulnerable development. TAN15 states that highly vulnerable development should not be considered or permitted in C2 flood zones. NRW were therefore consulted on the proposed development and have stated that as the proposal relates to the conversion of the 1st and 2nd floors of the premises, the proposed flats and are therefore likely to be above any flood levels, should a flood event occur at this location. NRW have therefore not objected to this application. A copy of NRW's comments has been sent to the agent for their consideration. The proposed development would therefore comply with LDP Policy EnW4.

Character and Appearance

The proposed change of use would result in some external alterations to the building, however these would not be considered substantial and as such would not detrimentally affect the character and appearance of the premises or that of the conservation area.

The proposed front entrance door, off Glebeland Street, would reflect the size, design and materials of the other existing entrance doors on the primary elevation of the building. Likewise, the proposed replacement sliding sash timber windows to the first and second floors of the front elevation would reflect the design and appearance of those currently existing. In respect of the roof alterations throughout, this would only involve repairing the slate roof where necessary. With regards to the rear elevation, the alterations involve enlarging existing openings, blocking up/rendering small barred windows and replacing existing timber windows with new UPVc sliding sash windows. Whilst it would be preferable to also replace the rear windows with new timber frames, as the existing, as opposed to UPVc, it should also be noted that there are other nearby premises, where new UPVc windows have been installed, to the front of premises. Thus, this part of the proposal would also be acceptable and considered in context with the appearance of the area.

As such, the proposed development would not be considered to cause an adverse impact upon the appearance of the premises, nor would it adversely affect the character of the street scene or that of the wider Town Centre Conservation Area. As such, the proposal would comply with LDP Policies SW11 and CW1.

Residential Amenity

The premises adjoins two other premises, 54 Glebeland Street located to the east, which currently operates as a take away (Glebeland Fish Bar) and 50 Glebeland Street located to the west, currently operates as an estate agents (Derek Phillips). The proposed flats, would therefore not be considered to cause any adverse impact upon adjoining premises, both of which are used for commercial purposes. Whilst the surrounding uses, due to their associated noise and disturbance, could potentially impact upon the amenities of the future occupiers of the proposed flats, it should be noted that there are other nearby residential first floor flats surrounded by such commercial uses, including a pubic house. Indeed, a variety of such uses, including residential development, is characterful of town centre locations. It should also be noted that no objections were received from nearby occupiers or the Council's Environmental Health Manager. As such, the proposed change of use to provide flats in this location, would not be considered to adversely impact upon the privacy or amenities of nearby residential or commercial occupiers, nor would the surrounding commercial uses be deemed significantly harmful to the future occupiers of these flats. The proposal would therefore comply with LDP Policy SW11 and EnW4.

Ecology

The premises is located nearby tree and grassland habitat and within 200m of the River Taff. Within 500m of the site there are records for priority and protected species, such as bats and nesting birds and the proposed works may therefore cause an adverse impact on these protected species. As such, a daytime Preliminary Roost Assessment (PRA) was requested to be submitted in support of the application to investigate any impacts of the works on these protected species and inform whether further surveys are necessary.

The report found that there are some features of the building which may be used by crevice dwelling species of bats. It is noted however that such features and gaps would be retained to prevent any impact on any bat roosts that may be present. No evidence of nesting activity or signs of historic nesting was observed on-site, and the building does not have features which indicate that birds would choose to nest within the structure. As such it is very unlikely that the proposed development would have a negative impact upon nesting birds. The report concluded by recommending enhancement works, and these recommendations would be conditioned as part of any planning permission. The proposed development would therefore be in accordance with LDP Policy EnW1.

Parking and Highway Safety

The proposed development would not be served with on-site parking provision. 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. The Engineering and Highways Manager has not raised an objection to this proposal which would comply with LDP Policy SW11.

Planning Obligations

LDP Policy SW9 considers the requirement for planning obligations and affordable housing respectively. Given that the proposal is for four flats, on-site affordable housing provision, open space, or any other financial contribution towards affordable housing would not be required.

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 conservation area, residential amenity, ecology, or highway safety. The proposal would therefore comply with the relevant LDP policies.

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:

- Project no: 9050, Drawing no: 02, Rev: C, received: 9th October 2020;
- Wildwood Ecology: Ecological Impact Assessment Report, received: 14th October 2020.

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

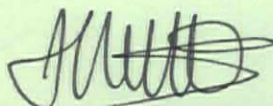
3. **Prior to the commencement of development** the following samples/details shall be submitted to and approved in writing by the Local Planning Authority:

- doors;
- front and rear windows (to include section details to an appropriate scale);
- render.

The development shall be carried out in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area in the interests of visual amenity and to accord with Policy SW11 and CW1 of the Merthyr Tydfil Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

Date: 30/11/20