

DELEGATED REPORT

Application No:	P/21/0134
Site Address:	Former Troedyrhiw Library Tyntaldwyn Road Troedyrhiw Merthyr Tydfil CF48 4NG
Development:	Change of use to 3 bed dwelling with associated parking
Case Officer:	Marlene Ferreira
Site Visit:	20th April 2021
Application Expiry Date:	7th June 2021
Consultation reply date expired:	6th May 2021

APPLICATION SITE

The application site relates to the former Troedyrhiw Library, located off Tyntaldwyn Road in the area of Troedyrhiw. The double height, single storey, stone building features a central gable to its front elevation. It is finished with a slate roof, rendered elevations with brickwork corner detailing, which also frame the existing UPVc windows, including the arched front windows and entrance way. The rear and side windows have been blocked up by metal rail guards and the front entrance is enclosed with a roller shutter. The street slopes down from the east to the west and the building is therefore higher on the western side. The premises has not been used as a library for well over 20 years. It was most recently used as a storage facility for Merthyr Library but has remained vacant since before 2014.

The application site extends from Tyntaldwyn Road to School Road. The library building occupies the front part of the site, just off Tyntaldwyn Road. A side access/entrance lies to the east of the building, also off Tyntaldwyn Road. A grassed area is provided to the rear, which extends from the rear of the building to School Road. The premises lies in a predominant residential street, comprising of terraced and detached properties.

During the site visit, it was noted that some works appear to have been carried out and the application forms indicate that work has been ongoing since 2014 when the building was sold. The low front stone wall (with railings above), located to the eastern side of the property has been removed and a gravel driveway has been laid. A new fence (measuring approximately 2 metres in height) has also been erected, which separates the rear grassed area from the front of the premises and the substation located to the rear (off School Road). No work seems to have been carried out to the building, as this appears to remain largely original.

The application site adjoins School Road to the north, 18 Tyntaldwyn Road to the east, Tyntaldwyn Road to the south, and Winfield (a detached bunkhouse/holiday accommodation) to the west.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the building from a library (D1 use class) into a 3 bedroom dwelling (C3 use class).

Internally, the works would involve lowering the existing ground level and providing a new first floor level. The proposed lower ground level would occupy only the eastern side of the building, measuring approximately 7.2 metres wide and 6.3 metres deep, and would provide an entrance hall and corridor, kitchen area and one reception room. The existing ground level to the western side of the building, which would provide living/dining area, would remain as double height room and therefore unchanged. The proposed first floor would also only occupy part of the building, measuring approximately 7.2 metres wide by 6.3 metres deep, and would provide 3 bedrooms and a bathroom.

Externally, the works proposed to the front elevation include the removal of the front roller shutter and the installation of new UPVc windows and a new front door within existing openings. In respect of the rear elevation, the external works include the replacement of all windows with new UPVc windows and enlarging the opening of the two rear windows, closest to the eastern side of the property. This would involve lowering the cill height of one existing window, which would increase in total height from 2.65 metres to 3.2 metres and serve the proposed reception room at the proposed lower ground floor. In respect of the second window, the opening would be lowered, from a total height of 2.65 metres to 4.1 metres, which would allow for the installation of a smaller window with a patio door below, which would serve the proposed kitchen area at the proposed lower ground level. A new UPVc window is also proposed (within the existing opening) to the eastern side elevation, which would include the removal of the metal guard rails.

The proposed dwelling would be served by a rear garden which is proposed to the north of the building. Two on-site parking spaces, measuring approximately 5.3 metres wide and 9.7 metres deep is proposed to the eastern side of the property.

PLANNING HISTORY

The council's records do not show any other recent or relevant planning history for this site.

CONSULTATION

Head of Engineering and Highways	No objection.
Planning Policy Officer	No objection.
Ecology Officer	No objection subject to conditions.
Environmental Health Manager	No response.
Welsh Water	No objection, subject to conditions.

PUBLICITY

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

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and states that *‘...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...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. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraph 3.55 states that *‘...previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development...’*

Paragraph 4.2.17 goes on to state that *'...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...'*

Paragraph 6.4.3 discusses biodiversity and states that *'...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...'*

- TAN (Technical Advice Note)

TAN 5: Nature Conservation and Planning (2009) – This TAN provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

TAN 12: Design (2016) – This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and deliver environmental sustainability, economic development and social inclusion at every scale throughout Wales.

Local Planning Policies

- Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031

SW1 - Provision of New Homes

SW3 - Sustainably Distributing New Homes

SW4 - Settlement Boundaries

SW11 - Sustainable Design and Placemaking

SW13 - Protecting and Improving Local Community Facilities

EnW1 - Nature Conservation and Ecosystem Resilience

EnW4 - Environmental Protection

- Supplementary Planning Guidance:

SPG 4 – Sustainable Design, July 2013

SPG 5 – Nature and Development, May 2015

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed change of use and associated works would be acceptable in principle in this location, and whether it would be acceptable in respect of its impact upon the appearance of the building and the character of the area. The impact of the proposal upon residential amenity, ecology, parking provision and highway safety are also primary considerations.

Principle of Development

The premises lies in the settlement boundary, where new development is generally supported by LDP Policy SW4, provided it complies with other LDP policies and material planning considerations. The principle of development would therefore be acceptable.

The existing building, formerly used as a library, is classed as a community facility and is therefore protected by LDP Policy SW13. Its proposed change of use into a 3 bedroom dwelling would result in the permanent loss of this community facility. In accordance with LDP Policy SW13, its loss would only be permitted where alternative provision of at least equivalent value to the local community would be provided nearby; where it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required; or, it can be demonstrated there is no longer a viable community use for the facility. In this instance, the use of the building as a library has been redundant for over 20 years. Whilst the building has also been used for storage purposes in more recent years, it has remained vacant since 2014. Due to the fact that the community facility has been closed for approximately 20 years, it appears evident that the library is surplus to the needs of the community. As such, the proposal would accord with LDP Policy SW13. Indeed, the re-use of the premises to provide a 3 bedroom dwelling would guarantee a long term sustainable use which would ensure the upkeep and preservation of the building.

The proposed development would therefore be acceptable in principle in this location and would accord with LDP Policies SW4 and SW13.

Character and Appearance

The application property, as noted above, is a prominent building, which has been vacant since it was purchased in 2014. The former library therefore fails to make a positive contribution to the character of the area. Its proposed conversion to a 3 bedroom property would serve to revive the tired appearance of the premises and would complement the existing residential uses surrounding the application site, given that the surrounding area is predominantly residential.

Most of the works proposed as part of this application relate to internal alterations, which would include the lowering of part of the internal ground floor and the provision of a new first floor. In respect of the external works, the proposed alterations are minimal and mainly relate to the installation of new UPVc windows and doors to replace the existing UPVc windows and doors within the existing openings. Indeed, this is the case in respect of the front elevation and would also include the removal of the roller shutter over the front entrance. The proposed new windows would be of the same design and material finishes and would therefore have a negligible impact on the character and appearance of the premises. The removal of the roller shutter would also be welcomed. It is noted that the proposed first floor would cut across two of the front windows and it was suggested that the wall serving the largest first floor bedroom be set back from the front windows. This was to ensure that the floor board height was not visible from the front windows. However, this would have resulted in the largest bedroom not being served by any windows and therefore, left without any natural light or ventilation. Thus, in this instance, this proposed arrangement would be considered acceptable and would not be deemed to cause significant demonstrable harm to the appearance of the building.

Similarly, the external alterations to the eastern side elevation would also amount to the mere addition of a new UPVc window within the existing opening and the removal of the guard rails. These works would also be acceptable and the removal of the guard rails would also be welcomed. No works are proposed to the western side elevation. The rear elevation would undergo the most prominent alterations and these would include the enlargement of the two windows closest to the eastern side elevation. The enlarged windows are required to serve the proposed lower ground floor reception room and kitchen

area. Whilst part of the extended window and new door would not have the same matching brickwork detailing surround, this lack of detail would not be considered to significantly harm the character and appearance of the building, particularly since these changes would be discretely sited to the least prominent elevation of the premises.

Overall, it is considered that the proposed alterations essentially seek to provide an alternative use whilst also retaining, as much as possible, the appearance of the original library building. These works would therefore not only serve restore the appearance of the premises, but would also serve to retain much of the interest and character of the former Troedyrhiw Library, particularly to its primary elevation. The proposed development, once completed, would positively contribute to the character and appearance of the area and would therefore comply with LDP Policy SW11.

Residential Amenity

The proposal seeks to provide a 3 bedroom dwelling and it is considered that the proposed change of use from a library to a residential property would be in context with surrounding built environment, as previously noted, given that the area is predominantly residential.

As explained earlier, the works to the front and eastern side elevations relate to the installation of windows/doors within the existing openings. As such, these works would not result in any additional overlooking or loss of privacy to the amenities of nearby occupiers. It is noted that the rear elevation will benefit from enlarged openings to serve the proposed lower ground floor rooms. However, the windows will increase in size in respect of the bottom part of the window only, which would provide one additional window and one patio door at the proposed lower ground level. Since, no new first floor windows are proposed, and given that the rear garden area of the property would abut School Road (and eventually be enclosed by a new boundary fence/wall), this window/door would be largely screened, and the outlook from the new lower ground floor window and door would therefore not be detrimental to the amenities of adjoining occupiers.

Although, it is acknowledged that the existing windows would also serve the three bedrooms proposed at the new first floor level, it should be noted that the library building is located over 15 metres from its rear boundary and approximately 24 metres from the properties located on the other side of School Road. Furthermore the outlook from these windows would be similar to that achieved from other first floor windows on the rear of other existing properties along Taldwyn Road, which also back onto School Road.

Whilst it is recognised that the properties either side of the library building are located closer to these windows, it should be noted that 18 Taldwyn Road, located to the east, is located at a significantly higher ground level and as such overlooking opportunities from the new first floor bedrooms would be greatly limited given the difference in levels and the existing boundary treatments dividing the library building and this neighbouring property. Similarly, the neighbouring dwelling to the west, Winfield 10 School Road, although located at a slightly lower ground level, it is relatively well screened from the library building by the boundary wall, mature vegetation and tall trees. As such, the overlooking opportunities to this property would also be limited. Furthermore, no extensions are proposed as part of this development and the proposal would therefore not be deemed to have any overbearing or loss of light impact upon these neighbouring properties. It should also be noted that no letters of representation have been received as a result of the publicity exercise undertaken.

The relationship between the proposed development and the neighbouring properties would therefore be considered acceptable and would therefore accord with LDP Policy SW11.

Ecology

Given the nature of the proposed development and the fact that the existing building is suitable for bats and nesting birds, a Preliminary Roost Assessment (PRA) was requested by the Council's Ecology Officer. A PRA was received on the 5th July 2021. This report found no evidence of bats or nesting birds using the building. Subsequently, a Bat and Nesting Bird Survey Report was also received on 30th September 2021. This report also concluded that bats and nesting birds are therefore unlikely to be directly or indirectly impacted by the proposed development. In addition, a Reptile Mitigation Strategy was received on 22nd September 2021, a Bat Box Location Plan was received on 3rd July 2021 and a Garden Design plan was received on 5th November 2021. In combination, these documents include mitigation, compensation and enhancement measures, which include the provision of bat boxes, bird boxes, hedgehog gaps in the fence, a pond, etc. The Council's Ecologist reviewed the reports and plan and did not raise any concerns with the recommendations set out provided that the development be carried out in accordance with the relevant reports. As such, a suitably worded condition will be added to any planning permission granted.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, it is noted that the application was received on the 12th April 2021, prior to edition 12 of PPW coming into force. Thus, given the time which has passed since the application was submitted, the request for the submission of a GIS at a significantly later date would be deemed unreasonable. Notwithstanding this, ecological enhancements, as noted above, have been proposed and would undoubtedly contribute to the wider green infrastructure objectives. The proposed development would therefore be considered acceptable and would accord with LDP Policy EnW1.

Parking Provision and Highway Safety

The proposed 3 bedroom property would be served by on-site parking provision by means of the gravel driveway area to the eastern side of the property. This would provide two tandem parking bays, which would be deemed sufficient to serve a 3 bedroom property. Furthermore, additional unrestricted on-street parking is available along the front highway. Indeed, the parking requirements for a 3 bedroom property would be significantly lower than that which would be required to serve an operational library. As such, the Head Engineering and Highways has not raised any objections to the proposed development. The proposal would therefore not give rise to any significant detrimental highway or pedestrian safety concerns and would accord with LDP Policy SW11.

CONCLUSION

The proposed development for the reasons discussed above is therefore considered acceptable and would comply with the relevant LDP policies.

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 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:

- Title: Proposed Ground Floor, received: 11th March 2025;
- Title: Proposed First Floor, received: 11th March 2025;
- Title: Proposed East and West Elevations, received: 25th February 2025;
- Title: Proposed North Elevation, received: 25th February 2025;
- Title: Proposed South Elevation, received: 25th February 2025;
- Title: Proposed Garden, received 5th November 2021;
- Title: Bat Box Location, received: 5th July 2025;
- Bat and Nesting Bird Survey Report, September 2021, received: 30th September 2021;
- Reptile Mitigation Strategy, September 2021, received: 22nd September 2021;
- Preliminary Bat Roost and Nesting Bird Assessment, July 2021, received: 5th July 2021.

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

3. Prior to the occupation of the dwelling hereby approved, a plan indicating the height, design, materials and type of all boundary treatments to be erected, shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be completed as approved before the occupation of the dwelling.

Reason - To ensure that the new development will be visually attractive and in the interest of highway safety in accordance with Policy SW11 of the Merthyr Tydfil Council Replacement Local Development Plan.

4. The construction of the car parking area to the east of the property, as shown on plan, Garden Design, Title: Proposed Garden, received: 5th November 2021, shall be completed in accordance with the approved details prior to the occupation of the dwelling hereby approved, and the car parking spaces shall remain available for their designated use in perpetuity.

Reason - To ensure that vehicles are parked off the highway in the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil Council Replacement Local Development Plan.

5. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

6. Notwithstanding the provisions of schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no additions or alterations shall be carried out to the roof of the dwelling hereby permitted, other than those expressly authorised by this permission.

Reason - In the interest of visual amenity in accordance with Policy SW11 of the Merthyr Tydfil Council Replacement Local Development Plan.

7. **No external lighting shall be installed**, until a detailed lighting scheme has first been submitted to and approved in writing by the local planning authority. The lighting scheme shall demonstrate dark zones at the boundaries and across the site, dark corridors for bat foraging/commuting with access points to bat boxes to remain unilluminated. The lighting scheme must conform to the latest guidance for wildlife-friendly lighting. Guidance Note GN08/23 Bats and Artificial Lighting At Night. Bat Conservation Trust and The Institute of Lighting Professionals 2023 - <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting>. The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

8. Demolition or construction 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 Council Replacement Local Development Plan.

9. Prior to the beneficial use of the dwelling hereby approved, the enhancement measures proposed, as stipulated in the recommendations set out in the Preliminary Bat Roost and Nesting Bird Assessment, Reptile Mitigation Strategy, Bat and Nesting Bird Survey Report, Garden Design Plan and Bat Box Location Plan, shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence. All bats and their roosts are protected under UK and European legislation. 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 works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

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. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

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DATE: 13.03.2025