

DELEGATED REPORT

Application No:	P/25/0010
Site Address:	56 Brecon Road Merthyr Tydfil CF47 8NN
Development:	Retention of hairdresser (use class A1) and two storey and single storey rear extensions
Case Officer:	Kate Glover
Site Visit:	21st January 2025
Application Expiry Date:	11th March 2025
Consultation reply date expired:	11th February 2025

APPLICATION SITE

The application site is a mid-terrace property located on Brecon Road, Merthyr Tydfil. The area is characterised by a mixture of uses including retail, commercial and residential.

To the northwest of the application site is a florist at ground floor level (No.55) with what appears to be residential flat at first floor level (No. 55A) and to the southeast of this site is a dwelling (No. 57). The application site and the identified properties have modest rear amenity areas, which can be access via a rear lane and, on the other side of the lane, are the rear gardens which serve a terrace of dwellings (Stuart Street).

The topography of the area is such that the ground levels slope upwards from Brecon Road and towards Stuart Street, which results in the ground level at the rear of the application site being higher than the front and the gardens of Stuart Street being several metres above that again.

The application site lies within the settlement boundary and the Brecon Road/Morgantown Local Centre as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

This application seeks full permission to retain the property's use as a hairdresser (use class A1), and the construction of a two-storey and single storey extensions at the rear of the property.

The two-storey extension would be built adjacent to the boundary of No.57 and approximately 0.66m from the boundary of No.55/55A and the proposed extension would measure approximately 4.47m long, 5.18m wide, 6.06m to eaves level and 7.65m to ridge height. Against the rear elevation of the proposed two storey extension, a single storey

extension would be constructed, this extension would measure approximately 1.70m long, 3.14m wide, 2.70m to eaves level and 3.40m to ridge height

The proposed external materials are rendered elevations, slate roof tiles, uPVC rainwater goods, fascias, windows and door.

Details of biodiversity enhancement have been provided and a Schwegler 1SP Sparrow Terrace and a bat box bat would be positioned under the eaves of the two storey rear extension.

PLANNING HISTORY

The relevant planning history is summarised below:

P/04/0477 Change of use to reflexology clinic, new shopfront and internal alterations
Granted 10 Nov 2004

CONSULTATION

Planning Policy Officer	No objections
Head of Engineering and Highways:	No objections
Dwr Cymru/Welsh Water:	No objection subject to condition.

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

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

National Planning Policies

Planning Policy Wales (Edition 12, February 2024) (PPW12).

Local Planning Policies

Local Planning Policies The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4: Settlement boundaries

- SW9: Planning Obligations
- SW11: Sustainable design and Placemaking
- SW12: Improving the Transport Network
- CW1: Historic Environment
- EnW1: Nature Conservation and Ecosystem Resilience
- EnW4: Environmental Protection
- EcW3: Retail Hierarchy – Supporting Retailing Provision
- EcW5: Town and Local Centre Development

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, impact upon the residential amenity, visual impact, ecology and highway safety.

Principle of Development

As noted above the site is located within the settlement boundary and the Brecon Road/Morgantown Local Centre. As such, it is considered that the introduction of an A1 use would be appropriate in this location, and would enhance the vitality, attractiveness and viability of the Local Centre.

Accordingly, the proposal meets with the requirements of LDP Policies SW4, EcW3 and EcW5.

Residential Amenity

As noted above, the application property is positioned between a florist, with a flat above and a dwelling. In addition, the site is close to the rear gardens associated with the dwellings located on Stuart Street. These properties are most likely to be affected by this proposal.

The depth of the proposed two storey extension would be the same as other extensions which have been constructed against the rear elevations of the properties along Brecon Road and the extension would not occupy the entire length/area of the land at the rear of the application property. As such the potential for detriment caused by overbearing or a tunnelling effect would not be so significant to warrant a recommendation of refusal in this regard.

Turning to loss of privacy. No windows are proposed to be inserted into the sides of the extensions. However, ground and first floor windows would be inserted into the rear elevation of the proposed two storey extension. There would be little if any overlooking from the rear windows of the extension into the rear gardens of No55/55A or No. 57 due to the oblique angles between the window's location in the rear elevation and the rear gardens. In respect of potential overlooking into the rear amenity areas of the properties along Stuart Street. It is noted that the rear of No.56 already has two first floor windows.

The rear windows to be inserted into the proposed extension would be approximately 4m closer to the rear amenity areas, which would result in a reduction in the separation distance from 13.50m to 9.34m. As noted above, many properties along Brecon Road have rear extensions and first floor windows are provided in the majority of these extensions. Therefore, given the degree of overlooking currently experienced, the proposed first floor window would not result in a significant increase in overlooking.

It is recognised that the current use of the building is a beauty clinic which in terms of footfall and disturbance, would be similar to that of a hairdressers or other use falling within the A1 Use Class. The proposed extensions would effectively double the floor area of the building/capacity of the hairdressers and result in an increase in coming and goings, which in turn could generate a degree of noise and disturbance. However, the site is located within the local centre boundary and is in close proximity to other commercial uses which already generate some level of disruption. Thus, having considered this setting and the scale of the proposal, it is not considered that it would significantly add to the levels of noise and disturbance that already exist to a harmful degree.

It is also noted that no letters of objection have been received following the publicity exercise.

It is considered that on balance, the proposal meets with the requirements of LDP Policies SW11 and EnW5.

Visual Impact

The proposed materials are noted above. It is considered that the external materials of the proposed extensions would not detract from the application property or the wider setting.

As such, the proposal meets with the requirements of LDP Policy SW11.

Highway safety

The Head of Engineering and Highways advises that the proposal would not have a detrimental impact on current parking provision and notes that the site is served by public transport. The HEH does not object to the proposed outbuilding.

Accordingly, the proposal meets with the requirements of LDP Policy SW11.

Ecology

The Planning Authority's Ecologist notes that the proposal would require works to the roof of the property and that there are records of a bat roost being located within 298m of the site. The Planning Ecologist advised that a Preliminary Roost Assessment was carried out. An '*Initial Bat Inspection Survey*' by BE Ecological has been submitted and notes that due to the lack of access points and the low quality of nearby habitat the building is likely to be of negligible ecological value for bats. Further to this no evidence of breeding birds was found at the time of survey. The report concludes that the demolition should be undertaken in line with a method statement and ecological supervision to safeguard the unlikely presence of bats and birds. Section 8 of the report sets out a method statement.

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, due to the scale and nature of the development, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, the ecological enhancements can be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

As such, the proposal meets with the requirements of LDP Policy EnW1.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 document:

Drawing Title: Site Plans and Illustrations, Drawing No: KFJ-03, Rev C, Received on 27 February 2025.

Drawing Title: Proposed Plans and Elevations, Drawing No: KFJ-02, Rev B, Received on 24 February 2025.

Initial Bat Inspection Survey, Issue 1, Version A by BE Ecology, Received on 3 February 2025

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

3. The materials to be used in the construction of the external surface of the rear extensions shall match those used on the existing building.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

4. **Prior to the development hereby approved coming into beneficial use** the bat box and the sparrow terrace shall be provided in accordance with approved plan

Drawing Title: Proposed Plans and Elevations, Drawing No: KFJ-02, Rev B. The bat box and sparrow terrace shall be maintained as such in perpetuity.

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 Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

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.

RECOMMENDATION ENDORSED

p.p.

A handwritten signature in black ink, appearing to be 'Watt' with a stylized flourish at the end.

Director of Neighbourhood Services

DATE: 28th February 2025