

DELEGATED REPORT

Application No:	P/22/0263
Site Address:	143B High Street Merthyr Tydfil CF47 8DP
Development:	External renovation of building. Works to include new render finishes and new window and door openings
Case Officer:	Caroline Pulley
Site Visit:	4th October 2022
Application Expiry Date:	28th November 2022
Consultation reply date expired:	25th October 2022

APPLICATION SITE

The application site relates to a vacant, two-storey, end of terrace commercial property located within Merthyr Tydfil Town Centre. The property has a traditional shop frontage onto High Street and a gable end fronting onto Swan Street. It is bound by 'The Welsh Bar' to the left (south) and a wide pavement area to the right (north) and is last known to be used as a pizza restaurant. Immediately to the rear of the building and fronting onto Swan Street is a children's soft play premise, a coffee shop and a hairdressers.

The application site is within the settlement boundary – Primary Growth Area, town centre primary shopping area, as designated within the Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP). The site also lies within a C2 Flood Zone, as defined by the Development Advice Map (Dam) referred to in Technical Advice Note 15. Additionally, it forms part of the Town Centre Conservation Area.

PROPOSED DEVELOPMENT

This application seeks planning permission to carry out external works to the existing restaurant building.

The key aspects of the proposed external works are as follows:-

Front Elevation

- Renovate elevation. All openings, joinery, existing render and detailing are to be retained. The existing shop front door is to be fixed shut.

Northern side gable elevation

- Install black aluminium frame windows and a doorway to the gable end. The ground floor elevation would comprise two window openings positioned around a central doorway. The first floor elevation would contain a large central window positioned between two narrow windows. Each opening would have an external reveal depth of 250mm.
- Apply a new rendered finish to walls. The works would comprise hacking off the existing render and applying a new white K render to the same depth as existing.

Side North West Courtyard Elevation

- Install a fire escape door on the ground floor.

Side South West Courtyard Elevation

- Install a single crevice bat box below the eaves.

Rear Courtyard Elevation

- Block up the centre first floor window.

PLANNING HISTORY

The history relating to the property is as follows:

P/03/0122	Change of use to wine bar Approve subject to conditions – 20.06.2003
P/93/0492	Refurbishment and change of use to Restaurant and Takeaway Pizza sales area with new shop front Approved subject to conditions – 23.12.1993

CONSULTATION

Head of Engineering and Highways: 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 site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040

Planning Policy Wales (PPW) – Edition 11, February 2021
Technical Advice Note (TAN) 4 – Retail and Commercial Development
Technical Advice Note (TAN) 12 – Design
Technical Advice Note (TAN) 15 – Development and flood risk
Technical Advice Note (TAN) 24 – The Historic Environment

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 CW1 - Historic Environment
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW2 – Internationally and Nationally Protected Sites and Species
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 EcW3 – Retail Hierarchy – Supporting Retailing Provision
Policy EcW4 – Retail Allocation
Policy EcW5 – Town and Local Centre Development

Supplementary Planning Guidance (SPG) Note No.3 – Shopfront Design
Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Conservation.

PLANNING CONSIDERATIONS

The application site is within settlement limits and is within the Merthyr Tydfil Town Centre boundary as set out by Policy EcW3 of the LDP. While it is acknowledged that the application property is located within an area which is at risk from flooding, no changes are proposed to the use of the building and having regard to the limited nature of the proposed works, the flood risks associated with this development are acceptable. Accordingly, the principle of undertaking alterations to premise is acceptable and is in accordance with the overarching policies in the LDP, which seek to protect the retail function of the town centre.

In terms of visual amenity, the principal elevation of the premise which fronts onto High Street would remain unchanged by this proposal. While it is regrettable that the main shop front entrance door which fronts onto High Street would be fixed shut, the overall appearance of this elevation would appear unaltered from the exterior of the property. The greatest change would arise through the introduction of a secondary frontage along the northern gable end of the property. While this elevation does form a gable end to this section of the High Street, it also forms an integral part of the street scene of Swan Street/Masonic Street. It is accepted that the works would fundamentally alter the character and appearance of this part of the High Street, however, as the new frontage would be seen in association with the retail units and frontages along Swan Street, the development of a secondary elevation in this location is deemed acceptable. Further to this, it is recognised that the aluminium windows and doors would add some interest to this elevation and the shape and height of the new openings would respect the character of the buildings along High Street and Masonic Street, which have a strong vertical emphasis. The new frontage also respects the small scale and proportions of the

property. It is worth noting that the stone architecture on the front elevation has not been replicated on the side elevation and this is considered to be the correct approach as the pine end is a recessive elevation and the proposed work should reflect that. Overall, subject to further window and doors details being provided, the proposed works would preserve the character and appearance of the conservation area.

In terms of residential amenity, being located within a town centre, it is likely that there are some residential flats above the shops within the vicinity of this site. However, the use of the building would remain unchanged in planning terms and limited alterations are proposed to the window openings to the rear and side courtyard elevation of the building. The door and windows proposed in the northern gable end of the building would face onto the highway and would not cause any impact on the amenities of those living nearby. As such, the proposal would have a limited impact on residents who may live within the vicinity of the site. It is also noted that the Council's Head of Engineering and Highways has not raised any objection to the proposed works.

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:

Drawing no. PL 02 Rev C received on 08.11.2022

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

3. Prior to installation, vertical and horizontal section details (at a scale 1:1 or 1:5) of the new door and windows proposed along the northern side elevation (gable end) of the application property shall be submitted to and agreed in writing by the local planning authority. The new door and windows shall be installed in accordance with the approved details.

Reason - To ensure that the appearance of the new windows and door are acceptable on the character and appearance of the conservation area in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Local Development Plan.

INFORMATIVES

1. The developer is advised to contact the Council's Highway Department (Highways.CustomerCare@merthyr.gov.uk) or relevant statutory undertaker with regard to the relocation of apparatus to the side of the application site.
2. The applicant should note that the application property is located in an area which is at risk from flooding.
3. 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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

15/11/22