

DELEGATED REPORT

Application No: P/26/0118

Site Address: 19 & 20 Church Street
Merthyr Tydfil
CF47 0AY

Development: Change of use of ground floor from A2 use to residential use (C3 use) comprising 2 no. apartments

Case Officer: Rebecca Owens

Site Visit: 3rd June 2026

Application Expiry Date: 29th July 2026

Consultation reply date expired: 24th June 2026

APPLICATION SITE

The application relates to the ground floors of two adjoining properties which are located within the town centre and thus in the settlement boundary. The ground floors which are currently vacant benefit from commercial use while the upper floors are in residential use. The site is also in the Thomastown Conservation Area and Urban Character Area 2. It occupies a prominent corner location on the junction of Church Street to the north and Tramroad Side North to the west, with the southern and eastern boundaries bounded by other properties.

PROPOSED DEVELOPMENT

Full planning permission is sought to change the use of the ground floors from an A2 use to a residential use (C3 use) comprising of two, one bedroom apartments. No external alterations are proposed with the exception of the removal of signage.

PLANNING HISTORY

The relevant planning history is summarised below:

P/25/0194	Change of use of first floor to a single residential apartment Granted planning permission subject to conditions on 6 August 2025
P/25/0186	Use of ground floor of both properties for use class A1 retailing Lawful development certificate granted on 13 August 2025
P/25/0185	Certificate of lawful development for an existing second floor flat Lawful development certificate granted on 13 August 2025

- P/17/0234 Change of use at 1st floor and 2nd floor from residential use to provide two studio flats (one at 1st floor and one at 2nd floor) to include balustrade to enclose a flat roof and an access staircase to the rear
Granted planning permission subject to conditions on 22 September 2025
- P/17/0145 Certificate of lawfulness for a proposed A2 use on the ground floor
Lawful development certificate granted on 5 July 2017
- P/08/0307 Change of use to (A2) letting agency at ground floor and (D1) private tutoring at first floor
Granted planning permission subject to condition on 26 August 2017
- P/08/0258 Installation of signage to building
Granted advertisement consent on 26 August 2008

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head of Engineering and Highways	No objection
Environmental Health Manager	No objection subject to conditions
Planning Policy Officer	No objection
Ecologist	No objection
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 neighbouring properties and two 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) 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) must be taken into considerations. Relevant sections are identified below:

- Paragraphs 3.3 – 3.18 refer to good design and better places.

- Creating sustainable development through reducing the reliance on car journeys and maximising opportunities for people to make more sustainable and healthy travel choice is emphasised throughout PPW. Paragraph 3.12 highlights that *“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. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate”*. Paragraph 4.1.1 reiterates this noting *“The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution”*. Similarly, Paragraph 4.1.37 notes that *“Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services”*. In respect to car parking paragraph 4.1.51 notes *“Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport”*.
- Section 4.3 relates to retail and commercial development and paragraph 4.3.3 highlights that planning authorities should:
 - *“promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business;*
 - *sustain and enhance retail and commercial centres’ vibrancy, viability and attractiveness; and*
 - *improve access to, and within, retail and commercial centres by all modes of transport, prioritising walking, cycling and public transport”*.
- An emphasis is placed on creating viable and vibrant centres with paragraph 4.3.33 explaining that *“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”*. Paragraph 4.3.34 expands on this further and notes that *“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”*. The introduction of residential use into centres is specifically referred to in paragraph 4.3.37 noting that *“Within a retail and commercial centre boundary change of use to residential may also be acceptable and help contribute to the viability and vibrancy of a centre. However, night-time noise considerations may be a limiting factor in some areas and residential use is unlikely to be suitable on the ground floor within primary areas or other places of concentrated A1 uses because it may fragment the shopping frontage and impact on the vibrancy and viability of a centre”*.

- Paragraphs 6.1.14 – 6.1.17 relate to conservation areas. Paragraph 6.1.14 notes that *“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”*. With paragraph 6.1.15 clarifying that *“There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level”*.

The following Technical Advice Notes are also relevant:

- TAN 5: Nature Conservation and Planning
- TAN 18: Transport
- TAN 12: Design
- TAN 24: Historic Environment

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:

- SW1 Provision of New Homes
- SW2 Provision of Affordable Housing
- SW3 Sustainably Distributing New Homes
- 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
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- 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 1, Affordable Housing.
- Note 2, Planning Obligations.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed apartments/flats would be acceptable at ground floor level, in this town centre location, 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

The application site is located within the primary growth area of the settlement boundary (Policy SW4) and as such the principle of development is acceptable subject to compliance with other relevant policies and material planning considerations.

In this respect it is noted that the site also lies within the town centre boundary but outside of the Primary Shopping Area. As such Policies EcW3 and EcW5 would be relevant. These policies support proposals for new development and enhanced retail, leisure and other complimentary provision in the town centre where they improve its vitality and viability.

The proposal would introduce new residential units to the ground floors, thus bringing vacant space back into use and positively contributing to the long-term sustainability of the premises. It is recognised that this would result in the loss of the commercial unit at ground floor level but this already vacant and has been for some time. The applicant has indicated that despite a lawful development certificate being granted in August 2025 for the ground floor units to have an A1 use (with the previous use seemingly being A2), the units have remained vacant. This would suggest that there is no demand for the commercial use at this site. It is also noted that there are other vacant units within the town centre which could accommodate a new 'A' class use. In addition to this, it is recognised that in order to thrive town centres must provide a mixture of retail, commercial, leisure and residential uses. Thus, having regard to the above it is not considered that the change of use would significantly impinge upon the vitality and viability of the wider Town Centre. Indeed, it is considered that positive reuse of the ground floors would in fact contribute to this. The development would therefore accord with these policies and those of PPW.

Character and Appearance

The application site is located within the Thomastown Conservation Area and Urban Character Area 2 and is in close proximity to a number of listed properties including the Grade II Listed Former Miner's Welfarall which is directly opposite. As such the design and visual impact of the development is an important consideration, with Policy CW1 highlighting that proposals will only be permitted where they would preserve or enhance designated historic environment assets. In this respect it is noted that no external alterations to the building are proposed and as such the proposal would not detrimentally affect the character and appearance of the premises, the wider conservation area or indeed the setting of listed buildings in the area. The proposal would therefore accord with Policies SW11 or CW1 of the LDP.

Residential amenity

Regard has also been had for the impact of the development on the residential amenities of neighbouring occupiers. In this respect it is noted that the proposal relates solely to a change of use with no external alterations (other than the removal of signage). Thus there would not be any overbearing impact, overshadowing or loss of light.. The rear windows overlook the rear yard area, which appears to be a communal space used to provide access to the upper floors. These windows are already in existence and thus there would

not be any increase in overlooking or loss of privacy to this area and the views that are afforded would not be to any private amenity space. Views into the proposed flats themselves from these rear windows would be no greater than from front windows which are directly adjacent to a highway. As such, no concerns are raised in this respect.

The application site is located within the town centre and, as such, in an area characterised by a mixture of commercial, leisure and residential uses. It is noted that in the immediate vicinity of the site there are uses which would create a degree of noise and disturbance and that some of these uses operate later into the evening and night. As such whilst the proposed use, would generate additional comings and goings, within this setting it is not considered that it would significantly add to the level of noise and disturbance that already exists and any future residents of the flats would occupy them in full knowledge of the uses in the area and noise and disturbance that these would cause. It is also noted that no objections were received from the Environmental Health Manager or following the publicity exercise in this respect or indeed following the publicity exercise. The proposal is therefore found to accord with Policies SW11 and EnW4 of the LDP.

Parking and highway safety

The application site does not currently benefit from any off street parking to serve the ground floor commercial units or residential uses on the upper floors. It is also noted that no parking is proposed to serve the occupants of the proposed apartments. However, the commercial units would have generated a parking demand and it is not considered that the replacement residential units would have a greater impact in terms of parking. In addition, there are a number of traffic regulation orders (residents parking only, double yellow lines etc.) in place, within the vicinity of the site to prevent any vehicle parking that would have a detrimental impact on the adopted highway. The application site is also located in the town centre, which is well served by public car parks and public transport links. Given this location it is not considered that the lack of parking would impact on highway safety and in fact would encourage the use of other more sustainable modes of transport to the private car. It is also noted that no objections have been received from the Head of Engineering and Highways. The proposal therefore complies with Policies SW11 and SW12 of the LDP and PPW.

Ecology

It is recognised that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, a basic GIS has been submitted which notes that the development is for a change of use with no external alterations and as such there would not be any loss of green infrastructure. It also proposes the installation of two bird boxes on the northern elevation to provide biodiversity gain. This is considered to be proportionate to the scale and nature of the development and the enhancements can be secured by condition, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

Planning Obligations

Policy SW9 relates to Planning Obligations. However, in this instance, given that the proposal is for only two new residential units no planning obligations for the provision of affordable housing or other contributions would be sought. Notwithstanding this, CIL is chargeable in this part of the County Borough.

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 had regard to the above considerations the development is found to be acceptable. Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS:**

CONDITIONS/REASONS:

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 Title: Section Views, Drawing Number: B 01 Rev. B, Received 3 June 2026

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

3. Before the residential units hereby approved are brought into beneficial use, two bird boxes shall be installed on the northern elevation of the building in accordance with details which have first been submitted to and agreed in writing by the local planning authority. These shall be retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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.

INFORMATIVES

1. The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained

the necessary permissions required by the Water industries Act 1991. Dwr Cymru advise that any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Contact their new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal the applicant may contact them to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

RECOMMENDATION ENDORSED *G. Davies*

PP. Director of Neighbourhood Services

DATE: 15th July 2026