

DELEGATED REPORT

Application No:	P/25/0280
Site Address:	51 Perrott Street Treharris CF46 5ET
Development:	The change of use of ground floor from a shop (A1) to a self-contained flat (C3).
Case Officer:	Kate Glover
Site Visit:	30th October 2025
Application Expiry Date:	17th December 2025
Consultation reply date expired:	20th November 2025

APPLICATION SITE

The application relates to a mid-terraced property located within the settlement boundary. The site is also located within the Treharris Conservation Area and the Treharris Local Centre. It is therefore in an area comprising of a mixture of residential and commercial uses and is sited in close proximity to the Grade II listed Treharris Public Library and Grade II listed Tabernacle Independent Chapel. The property is a two-storey building with a vacant commercial unit on the ground floor, formerly occupied by a print shop. The first floor accommodates a residential flat, which has its own access from Perrott Street. The site is bounded by Perrott Street to the front, residential dwellings to the rear, a vacant shop on one side, and an occupied shop on the other.

PROPOSED DEVELOPMENT

Full planning permission is sought to change the use of the ground floor from a Print Shop (A1 Use Class) to a residential unit (C3 Use Class). The ground floor flat would comprise of a single bedroom bathroom and living room/kitchen. It is also proposed to retain the windows and door which serves the existing shop, although the existing roller shutter would be removed.

Details of biodiversity enhancement have been provided, and a bird box would be located on the rear (west) elevation.

PLANNING HISTORY

The relevant planning history is summarised below:

P/25/0189 Change of use from the Print Shop (A1) to a dessert shop (A3)
Approved: 19 Aug 2025

CONSULTATION

The following body was consulted and their responses are presented below:

Planning Policy Officer: No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and a site notice was 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). The policies in PPW are supported by Technical Advice Notes (TANs), and the most relevant TAN to this application is No. 24: The Historic Environment (May 2017).

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
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- 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 character and appearance of the property and the street scene, impact upon the residential amenity of neighbours and ecology.

In respect of the principle of development, the application site is located within a mixed-use area comprising both residential and commercial properties and lies within the settlement boundary. As such, the principle of development is considered acceptable, subject to compliance with other relevant policies and material planning considerations.

It is also noted that the application site is located within the Treharris Local Centre, which is a favoured location for retail, leisure, and other complementary development. Policy EcW5 supports proposals that enhance the vitality and viability of local centres. However, it is recognised that the proposed use does not fall within the 'A' use classes. Therefore, under Policy EcW5, evidence must be provided to demonstrate the following:

- Active and appropriate marketing has shown that the existing use is no longer economically viable;
- The proposal would not result in an over-concentration of non-A1 uses that would harm the vitality, attractiveness, or viability of the local centre;
- The proposal would not create a dead window frontage;
- The proposal would not have an unacceptable impact on the amenity and viability of neighbouring uses, having regard to the 'agent of change' principle.

Information submitted with the application indicates that the site has been marketed without success, and a recent planning permission has not been implemented. It is also noted that there are a number of vacant units within the local centre, some of which have remained empty for a considerable period. As such, there are other potential units available for new 'A' uses to occupy. The lack of interest following marketing, combined with the high number of empty units, suggests that the economic viability of such uses at this location is poor.

With respect to the other criteria set out in Policy EcW5, it is not considered that the proposal would result in an over-concentration of non-A1 uses. The local centre retains a mix of A1 and other commercial uses. Furthermore, the proposal would not create a dead window frontage (as is currently the case with the vacant unit). Its reuse would improve the overall visual amenity of the area and make a more positive contribution than the existing vacant and shuttered shopfront. Finally, it is not deemed that the proposal would negatively impact the amenity or viability of neighbouring uses.

Taking the above into consideration, the proposal satisfies the criteria set out in LDP Policy EcW5 and aligns with the overarching objective to enhance the vitality and viability of the local centre.

It is also noted that the proposal would result in the loss of a shop and as such Policy SW13 would be relevant. This policy seeks to protect the loss of community facilities unless it can be appropriately justified under the following criteria:

- alternative provision of at least equivalent value to the local community can be provided nearby, or

- the existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- there is no longer a viable community use for the facility.

Given that the application site has been unsuccessfully marketed and the volume of vacant units in the area, it is considered that the use has been demonstrated as being surplus to the needs of the community. As such, the proposal meets with the requirements of LDP Policy SW13.

As noted above the site is located within the Treharris Conservation Area and as such the impact of the proposal on its character would be an important planning consideration. The proposed use of the ground floor as a dwelling would not be out of character in the context of the site and the existing shopfront would be retained providing an active frontage to the street. Accordingly, the proposal complies with LDP Policies SW11 and CW1.

Turning to potential impact on residential amenities of neighbouring properties, it is noted that despite being within a local centre, there are dwellings adjacent to, and within the vicinity of the site. Given the residential nature of the proposal there are no concerns raised with respect to potential impact in regard to overlooking or loss of privacy. In addition, whilst there would be some comings and goings associated with the proposed ground floor flat, this would not be to the extent of a shop which would generate a greater level of noise and disturbance than the proposed residential use. The proposal is therefore acceptable in terms of its impact on residential amenity and would comply with LDP Policy SW11.

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 biodiversity enhancement statement has been submitted which proposes ecological enhancement via a bird box. Having regard to the nature and scale of the development, which relates largely to a change of use, a GIS is not justified. The enhancement is considered to be acceptable and can be secured by condition, thus contributing to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

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:

Drawing Title: Ground Floor Proposed, Drawing No: L(01)01, Rev A, Received on 22 October 2025.

Drawing Title: Elevations Proposed, Drawing No: L(03)01, Rev A, Received on 3 December 2025

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

3. **Prior to the development hereby approved coming into beneficial use** the bird box shall be provided in accordance with approved plan Drawing Title: Elevations Proposed, Drawing No: L(03)01, Rev A. The bird box 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 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



Director of Neighbourhood Services

DATE: 09.12.2025