

# DELEGATED REPORT

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|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/22/0287</b>                                                                                                                                                        |
| <b>Site Address:</b>                    | <b>6 Fox Street<br/>Treharris<br/>CF46 5HE</b>                                                                                                                          |
| <b>Development:</b>                     | <b>Conversion of attic to form part of first floor flat with associated rooflights and other external alterations including new entrance door to flat and shopfront</b> |
| <b>Case Officer:</b>                    | <b>Rebecca Owens</b>                                                                                                                                                    |
| <b>Site Visit:</b>                      | <b>7th November 2022</b>                                                                                                                                                |
| <b>Application Expiry Date:</b>         | <b>10th February 2023</b>                                                                                                                                               |
| <b>Consultation reply date expired:</b> | <b>31st January 2023</b>                                                                                                                                                |

## APPLICATION SITE

The application relates to a mid-terrace property located in the local centre of Treharris and within the settlement boundary. As such it is in a mixed use area including commercial, retail and residential uses. The site itself is bound by a highway to the front which forms one of the main commercial streets in the area, dwellings to the rear and north-eastern side and a vacant commercial property to the south western side which was formerly a bakery and has recently had planning permission to convert the ground floor into a beauty salon with a flat above (planning ref: P/22/0205). The site is also within the Treharris Conservation Area.

## PROPOSED DEVELOPMENT

Full planning permission is sought to convert the attic to form part of the existing first floor flat with associated external alterations and for the creation of a new separate entrance to the flat and new shop front.

The proposed external alterations are summarised below:

- The existing shop front would be removed and replaced with a new timber shopfront which would be anthracite grey in colour. The shopfront would be of a traditional design and would be almost the full width of the front elevation with pilasters and capitals on either side and a fascia. It would contain two entrance doors (one to the ground floor unit and the other serving the first floor flat) and a shop window. The shop front would also feature a stallriser finished with shiny anthracite grey brick tiles.
- The first floor windows in the front elevation would also be replaced with new wooden windows. These would be of the same design as the existing windows but would be painted anthracite grey.

- Two roof lights are proposed within the rear roof plane which would be 0.55m by 0.7m in size.
- A further roof light is proposed in the roof of the single storey rear annexe which would also be 0.55m by 0.7m in size.
- The flat roofed section of the existing single storey annexe would be demolished leaving just the section with a mono-pitched roof. The rear elevation of this would feature French doors and a window.
- A new door is proposed in the north eastern side elevation of the two storey rear annexe to create a storage area (externally accessed).
- The glazing in a ground floor and first floor window which would serve bathrooms would be replaced with frosted/obscure glass.
- All replaced and new windows and doors to the side and rear would be white upvc.

## PLANNING HISTORY

There is no relevant planning history which needs to be taken into consideration when determining this application.

## CONSULTATION

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

|                                         |                                      |
|-----------------------------------------|--------------------------------------|
| Planning Division's Policy Group Leader | No objection                         |
| Planning Division's Ecologist           | No objection subject to enhancements |
| Head of Engineering and Highways        | No objection                         |
| Environmental Health Manager            | No response                          |
| Dwr Cymru Welsh Water                   | No objection subject to conditions   |

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the 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 11, February 2021)

## 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
- EnW2: Internationally and Nationally Protected Sites 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 3, Shopfront Design.
- Note 4, Sustainable Design.
- Note 5, Nature and Development.

## PLANNING CONSIDERATIONS

### Principle

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

In this respect, it is also noted that the site is located within an identified local centre and as such Policies EcW3 and EcW5 are relevant. These policies support proposals for new development and enhanced retail, leisure and other complimentary provision in local centres where they improve the vitality and viability of the centre concerned. The proposal would refurbish the front elevation and introduce a new, traditional shopfront which would improve the appearance of this property and in turn have a positive impact on the vitality and attractiveness of the local centre.

### Design and Visual Amenity

The application site is located within a designed local centre and as such is within a mixed use area of commercial, retail and residential uses and where there is a variety of shopfront of different designs and appearance. It is also located within the Treharris Conservation Area and as such the design and visual impact of the proposal is an important consideration. In this respect, the proposed shopfront is considered to be of an acceptable design and its traditional features and materials would in keeping with the character of the conservation area. Indeed, it is considered that it would be an improvement on the existing shop front and as such would enhance the appearance of the property itself and the conservation area. The replacement of the first floor front windows with new timber windows of the same design is also deemed to be acceptable given that these would preserve the character of the conservation area. It is recognised that new windows and doors are being proposed to the rear of the property which would comprise

of upvc units rather than traditional timber. However, given the existing windows and their siting (largely out of site and not be visible from the front streetscene), these alterations are deemed to be acceptable and not harmful to the character of the property or conservation area. Accordingly, the proposal is found to accord with Policies SW11 and CW1 of the LDP.

### Residential Amenity

Regard has also been had for the impact of the proposal on the residential amenity of the neighbouring occupants. In this respect it is not considered that the changes to the shopfront would have any notable impact. It is noted that the proposal would introduce new windows and doors to the rear at ground floor level. However, given their height and position, these would not give rise to any unacceptable overlooking or loss of privacy. Similarly, as there is already a first floor flat, there would be little change in impact from this development with the exception of the converted attic space which would provide an additional bedroom. This would be served by two new roof lights in the rear roof plane of the main roof. Whilst it is acknowledged that these may allow for views across the rear gardens of neighbouring properties, it is recognised that there is always a level of overlooking between terraced properties and it is not considered that the roof lights would result in a degree of overlooking that would be unduly harmful or that would justify the refusal of the application on such grounds. Having regard to the above considerations and noting that no representations were received following the publicity exercise, the proposal is found to be acceptable in terms of its impact on residential amenity and as such would comply with Policy SW11 of the LDP.

### Parking and Highway Safety

It is acknowledged that the application site does not currently benefit from any off street parking and there is no scope to provide any such spaces within the curtilage of the property. However, the proposal would only result in one additional bedroom and given the sustainable location of the site, within a local centre and in close proximity to public transport links and a public car park, it would not have a significant impact on parking demand or highway safety. It is also noted that the Head of Engineering and Highways has not objected to the planning application.

### 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.

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 Title: Proposed Plans, Drawing Number: 03 Rev A, Amended Plan  
Received on 21 December 2022

Drawing Title: Proposed Elevations, Drawing Number: 04 Rev A, Amended Plan  
Received on 23 December 2022

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

3. 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.

4. Before any part of the development is brought into use, details for the provision of a bat box and a bird box together with details of their location within the site, shall be submitted to and approved in writing by the local planning authority. The bat and bird boxes shall be installed in accordance with the approved details before any part of the development is brought into use.

**Reason** - To provide biodiversity and environmental enhancements in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

## INFORMATIVES

1. 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.

2. 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**



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**Director of Neighbourhood Services**

**DATE:**

31/1/23