

DELEGATED REPORT

Application No:	P/23/0262
Site Address:	14 High Street Caeharris Dowlais Merthyr Tydfil CF48 3HB
Development:	Removal of doorway, insertion of new window and erection of new canopy over external stairs and walkway
Case Officer:	Rebecca Owens
Application Expiry Date:	26th December 2023
Consultation reply date expired:	30th November 2023

APPLICATION SITE

The application site relates to a part commercial/part residential building located in High Street, Dowlais. The premises lies on a corner of High Street and Blanche Street and is currently operating as an Indian Restaurant at ground floor, with a function room and a two bedroom residential flat being located above. The front of the property faces directly onto High Street. The rear elevation of the property adjoins a small enclosed yard, beyond which is the gable end of a neighbouring residential property (1 Blanche Street). The surrounding area is predominately residential in character but there are a number of commercial properties located along High Street, including a convenience store and a public house.

PROPOSED DEVELOPMENT

Full planning permission is sought for the removal of a doorway, insertion of a new window and the erection of new canopy over an external stairs and walkway.

The new canopy would be erected off the rear elevation of the property. It would be set in from the eastern flank elevation by 0.3m and would span across the remaining width of the rear gable (5.9m). The canopy would cover an existing walkway along the rear elevation projecting out 1.9m in depth and this section would feature a hipped, slate roof with a ridge height of 6m. However, the canopy would also project out over the external steps leading up to the walkway where it would project out an additional 1.8m from the rear elevation (3.7m in total) and this section would feature a lower mono-pitched, Perspex roof with a maximum height of 3.4m. The canopy would be supported by steel framework and would be enclosed with anti-vandal Perspex sheeting

The other external works proposed involve the removal of a doorway in the rear elevation which currently provides access to the flat. The flat would then share an external doorway with the holiday lets, with a new internal doorway provided. In addition a new window is proposed in the rear elevation to serve the kitchen of the flat.

PLANNING HISTORY

The relevant planning history is detailed below:

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| P/22/0211 | Proposed two-storey extension enclosing new staircase to first floor holiday lets
Granted planning permission subject to conditions on 10 January 2023 |
| P/21/0386 | Conversion of first floor function room into 3 holiday lets. Erection of rear porch/canopy
Granted planning permission subject to conditions on 10 December 2021 |
| P/12/0329 | Single storey extension to kitchen (including internal alterations)
Granted planning permission subject to conditions on 6 February 2013 |
| P/09/0209 | Change of use of first floor flat (fronting onto High Street) to waiting area associated with the ground floor restaurant and the erection of a flue to the rear of the property
Granted planning permission subject to conditions on 12 January 2009 |
| P/07/0527 | Change of use of ground floor of building to restaurant (A3 use), first floor of building to 2 No. self contained flats and external changes to building
Granted planning permission subject to conditions on 20 December 2007 |

CONSULTATION

Planning Divisions Ecologist - 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.

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)

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
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW4 Environmental Protection
- EcW9 District Heating

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

Whilst it is recognised that the proposed canopy would be located to the rear of the property, it would be readily visible from Blanche Street. It is considered that the canopy is of a poor design with an unsympathetic hipped roof which would appear at odds with the gable roof, and would also comprise of inappropriate materials with Perspex sheeting enclosing the sides. As such, the canopy would represent an incongruous development which would appear out of place on the rear of the property thus adversely impacting on the character of the building and the visual amenities of the area in general. Accordingly, the proposal would not comply with Policy SW11 of the LDP. Notwithstanding the above no concerns are raised in terms of the visual impact of the removed door and additional window.

Regard has also been had for the impact of the proposal on the residential amenities of the neighbouring occupiers and in this respect it is noted that the site is located in a residential area and bound by residential properties. However, the proposed canopy is relatively small in scale and would be located 5.8m off the western boundary which is shared with 13 High Street (mixed commercial and residential property) and between 3.3m and 5.2m off the blank flank elevation of 1 Blanche Street (dwelling) which bounds the northern boundary. As such no concerns are raised with respect to overbearing impact or indeed overshadowing or loss of light. Similarly, as the stairs and walkway are already in situ, the enclosure of these would not result in any greater overlooking or loss of privacy. Similarly, the proposed external alterations to the fenestration and doors would not have any harmful impact. Having regard to this and noting that no objections 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 accord with Policy SW11 of the LDP.

The Planning Authority's Ecologist requested a Preliminary Roost Assessment be undertaken so impacts of the development could be evaluated. In response to this request a Bat Survey Report was submitted which had been undertaken as part of a previous application. Whilst this report did not relate to the development now proposed it was considered sufficient to determine the impact on roosting bats with appropriate surveys having been conducted which found bats to likely be absent. It was requested that this report be updated to reflect the development currently under consideration with the enhancement measures amended to reflect this smaller scale development. However, this has not been forthcoming. Given that the development is considered unacceptable for other reasons and the submitted report is adequate to assess the impact, it is considered that the application can be determined based on the information received. Had the

proposal been found to be acceptable the matter of appropriate enhancements could have been addressed via suitably worded condition.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). However, this application was submitted in before this was published and made a requirement. As such it is not considered reasonable to now request this given the length of time the application has been under consideration. Notwithstanding this, had the application been deemed acceptable, ecological enhancement would have been secured, which would provide additional habitats in the local area and which would contribute to the wider green infrastructure objectives.

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following REASON:

1. The proposal, by virtue of its unsympathetic material and poor design, would result in an incongruous development that would be detrimental to the character and visual amenities of the dwelling and area in general. As such the proposal is contrary to Policy SW11 of the Merthyr Tydfil Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

VP

DATE: 12.04.2024