

DELEGATED REPORT

Application No:	P/26/0173
Site Address:	148 High Street Merthyr Tydfil CF47 8DP
Development:	Vary of Condition 2 of planning permission P/24/0206 to allow for the increased depth of the rear extension to enable the incorporation of an internal lift
Case Officer:	Marlene Ferreira
Site Visit:	27th August 2026
Application Expiry Date:	23rd September 2026
Consultation reply date expired:	24th August 2026

APPLICATION SITE

The application site relates to a terraced property, 148 High Street in the Merthyr Tydfil Town Centre. The building, a three storey gabled premises, features a traditional shopfront at ground floor, a brickwork frontage with timber sliding sash windows above.

The premises is currently occupied by a retail business (Custom Work Wear) at ground floor and used as office space at first and second floors. The ground floor is served by three accesses into the building, two off the high street and one from the rear. The first and second floors are accessed via the rear only, via a metal staircase. The premises is served by a rear courtyard (enclosed with gates) which serves the parking requirements of the premises, providing 2 on-site vehicular spaces.

The application site adjoins commercial properties, a two-storey dormer premises to the north, occupied by a dental surgery (Fountain Dental Centre), a three storey premises to the south, occupied by a hairdressers (The Cutting Room), the high street to the east (front) and adopted highway to the west (rear).

PROPOSED DEVELOPMENT

This application seeks planning permission to vary condition 2 (list of approved plans and documents) of planning permission P/24/0206 to include a larger three storey extension at the rear of the premises.

The previously approved application (P/24/0206) featured numerous works, which included the installation of a shopfront, the construction of a three storey rear extension, demolition works to the rear kitchen extension and other internal alterations. Permission is sought to amend the approved drawings relating to the plans and elevations of the property to include a larger three storey extension, essentially resulting in a deeper extension being introduced to the rear.

The proposed extension would measure approximately 6m wide by 3.9 deep with an 11.5m ridge height and would continue to be finished with natural slate roof tiles, smooth rendered elevations and Upvc windows. The enlarged extension would allow for the provision of an internal stairwell and internal lift access to the upper first and second floors of the premises.

PLANNING HISTORY

The following planning history is relevant to this site:

P/24/0206 - Erect new shopfront; demolish part of rear kitchen extension and alter its flat roof to a sloping roof; erect three storey rear extension – Approved: 30th April 2026

P/06/0535 - Change of use of building to office based training provision (D1 use) – Approved: 28th November 2006

P/06/00172 - Installation of additional roller shutter door to rear wall of property to allow easier access and additional parking – Approved: 16th May 2006

P/06/0059 - Change of use from residential/shop to commercial offices – Approved: 27th March 2006

P/96/0238 – New shopfront and internal alterations – Approved: 16th August 1996

CONSULTATION

Council's Ecology Officer	No objection.
Environmental Health Officer	No objection, subject to conditions.
Natural Resources Wales	No objection.

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 representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and states that *‘...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraphs 6.1.14 – 6.1.17 relates to conservation areas and 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...’* *‘...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...’*

Paragraph 6.4.3 discusses biodiversity and states that *‘...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...’*

Paragraph 6.6.22 advises on flooding and explains that *'... the climate emergency is likely to increase the risk of flooding as a result of sea-level rises, increased storminess and more intense rainfall. Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers. Surface water flooding will affect choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating development proposals...'*

- TAN (Technical Advice Note)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that *'...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...'*

TAN 12 – Design (2016)

This TAN advises that the Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales. Section 2.6 of TAN12 states that *'...Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality or function of an area, should not be accepted, as these have detrimental effects on existing communities...'* Section 4.3 of TAN12 points out *'...Understanding the site and its immediate and wider context is the basis for a meaningful and sustainable design response, and is the responsibility of all those involved in the design process...'*

TAN 15 – Development, Flooding and Coastal Erosion (2021)

This TAN provides guidance that supplements those set out in PPW policies in respect of flooding. It provides a framework within which the flood risks arising from rivers, the sea and surface water, as well as the risk of coastal erosion can be assessed. It goes on to advise on the consequences of the risks and adapting to and living with flood risk.

TAN 24: The Historic Environment (2017)

Section 1.14 of TAN 24 refers to conservation principles and *'... recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain*

local distinctiveness and a sense of place. The use of an objective, structured approach to identify the elements of historic character and creating an evidence base is vital...'

Local Planning Policies

- The Merthyr Tydfil Replacement 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 EnW4 – Environmental Protection

Policy EcW3 - Retail Hierarchy- Supporting Retail Provision

Policy EcW5 - Town and Local Centre Development

- Supplementary Planning Guidance (SPG):

SPG3 – Shopfront Design, May 2013

SPG5 – Nature and Development, May 2015

- Other Guidance:

Merthyr Tydfil Town Centre Conservation Area (June 2009)

PLANNING CONSIDERATIONS

Planning permission has been recently granted, under application P/24/0206, for various external and internal works/alterations to this premises, which included the installation of a new shopfront, three storey extension, alterations to the rear kitchen extension, etc. Thus, the issues to consider under the assessment of this application relate to whether the proposed alterations to the approved plans, i.e. the construction of a larger rear extension, would be acceptable with regards to its impact upon the character and appearance of the premises, the wider street scene, residential amenity, parking and highway safety and ecology.

In respect of its visual impact, the proposed rear extension, which seeks to allow for the provision of an internal staircase access as well as an internal lift access to the first and second floors, although larger in depth, would still occupy the same position and serve the same purpose. Indeed, the 3.9m deep extension, would only be approximately 1.5m deeper than that original proposed extension, whilst its width and overall height would remain unaltered. Furthermore, its material finishes would also be identical to those previously proposed. Thus, its overall scale and appearance would continue to be acceptable. The proposed extension, although larger, would continue to appear as a sympathetic and proportionate addition to the rear of the premises, which would not detract from the character or appearance of the premises or that of the wider area. As such, it would accord with LDP Policies SW11 and CW1.

With regards to its neighbouring impact, it is recognised that a larger three storey extension could have additional impacts upon nearby occupiers. However, as discussed earlier, the extension's depth would increase by an additional 1.5m, whilst its width and

height would remain as originally proposed. Whilst the resulting extension is now proposed to measure 3.9m deep, instead of the originally proposed 2.4m depth, this additional depth would not be deemed significantly larger or significantly more overbearing to neighbouring properties and would therefore not warrant the refusal of the application. Furthermore, the increase in the depth of the extension would not result in the installation of additional windows and would therefore not increase overlooking opportunities to neighbouring properties. Certainly, the overlooking opportunities from the existing three storey staircase would be far greater than those which could be provided by the proposed enlarged rear extension. In this respect, it should also be noted that no objections or concerns have been raised in respect of this proposal. The proposed development would therefore be considered acceptable in this instance and would accord with LDP Policy SW11.

In terms of ecology, it is acknowledged that the construction of a larger rear extension would carry the same impacts on bats as the originally proposed extension. Indeed, the Council's Ecologist has confirmed that since the bat survey is in date no further bat survey work would be required in support of this application. Thus, provided that the proposed development, including all associated works approved under the earlier application P/24/0206, are carried out in accordance with the recommendations set out in the relevant Preliminary Roost Assessment, Bat Survey and Green Infrastructure Statement reports, which could be secured via a suitably worded condition, it would be considered acceptable and would accord with LDP Policy EnW1.

In respect of parking and highway safety, the impact of the larger rear extension has also been considered. The existing premises is served by a parking forecourt to the rear which provides 2 parking spaces. The proposed development, although seeking to amend the proposal to include a larger rear three storey extension, it does not seek to introduce a new use into the premises or modify the existing uses. Furthermore, the larger extension, which would increase in depth by 1.5m as mentioned earlier, would not overspill onto the car parking area. Instead, this amended proposal seeks to solely provide an internal stairwell access and an internal lift access to the first and second floors. As such, the parking requirements for the site would remain as existing. Thus, the proposed development would not be considered to give rise to any highway safety concerns and would therefore accord with LDP Policy SW11.

CONCLUSION

For the above reasons, the proposed variation of condition 2 to introduce a larger three storey rear extension is therefore considered acceptable and would accord with the relevant policies and guidance.

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:

- Basement and Ground Floor Plans as Proposed Drawing No P797 L_200 rev E, received: 29th July 2026;
- Elevations 2 of 2 as Proposed Drawing No P797 L_211 rev D, received: 29th July 2026;
- Site Plan as Proposed Drawing No P797 L_002 rev E, received: 29th July 2026;
- Section as Proposed Drawing No P797 L_212 rev B, received: 29th July 2026;
- First and Second Floor Plans as Proposed Drawing No P797 L_201 rev B, received: 29th July 2026;
- Elevations 1 of 2 as Proposed Drawing No P797 L_210 rev A, received: 29th July 2026.
- Saxby Lighting - Forge - 121022 - LED Black Clear IP65 Outdoor Wall Washer Light, received: 4th April 2026 (as approved under P/24/0206);
- Green Infrastructure Statement, received: 27th March 2026 (as approved under P/24/0206);
- Bat Survey, received: 11th February 2026 (as approved under P/24/0206);
- Ecology Report - Preliminary Building Inspection, received: 7th January 2025 (as approved under P/24/0206);

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

3. **Prior to the commencement of development** samples/details of the following material finishes shall be submitted to and approved in writing by the Local Planning Authority:

- natural slate roof covering;
- smooth render (including colour).

The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason - To ensure that the external appearance of the property will be in keeping with the character of the area in the interests of visual amenity and to accord with Policies SW11 and CW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. Prior to the beneficial use of the rear three storey extension hereby approved, the enhancement measures proposed, as stipulated in the Preliminary Roost Assessment, Bat Survey and shown on the proposed plans, shall be implemented and shall be retained thereafter in perpetuity.

Reason - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

5. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

Reason - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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, outside those identified in the surveys, 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, other than those identified in the surveys, 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.

3. 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.

4. The applicant/developer's attention is drawn to the comments received from Welsh Water during the course of the application P/24/0206. Their records indicate that the site is crossed by a public sewer. Under the Water Industry Act 1991, Dwr Cymru has rights of access to its apparatus at all times.

Some public sewers and lateral drains may not be recorded on Welsh Waters maps 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.

The applicant is advised to contact Welsh Water on 0800 917 2652 and request a sewer trace to establish the location and status of the sewer. The applicant is advised that diversion works/other works may be required to accommodate the proposed development.

RECOMMENDATION ENDORSED *G. Davies*

PP: Director of Neighbourhood Services

DATE: 22nd September 2026