

DELEGATED REPORT

Application No:	P/24/0127
Site Address:	19 Pontmorlais High Street Merthyr Tydfil CF47 8UB
Development:	Renovation of property to include a new roof with solar panels, new shop front and windows and rendering of elevations.
Case Officer:	Marlene Ferreira
Site Visit:	19th September 2024
Application Expiry Date:	24th July 2024
Consultation reply date expired:	20th June 2024

APPLICATION SITE

The application site relates to a mid-terraced property, 19 Pontmorlais, located in the Pontmorlais area of Merthyr Tydfil Town Centre. The building, which is three storeys at the rear and two-storeys at the front with accommodation within the roof, currently operates as a tattoo shop. Additional storage rooms, staff rooms and kitchen facilities are provided at lower ground floor, at first floor and within the roof space. These floors also appear to be used in association with the existing business.

The premises has been altered overtime by unsympathetic alterations, which include the introduction of a box roller shutter and the replacement of timber windows with UPVC windows. In addition, the building does not appear to have been well-maintained in previous years resulting in blown render, some of which has separated from the wall, leaving the premises in a poor state of repair.

The application site adjoins a two-storey premises, 20 Pontmorlais (forming part of the Taj, an Indian restaurant) to the north, 18 Pontmorlais (Ale Bar) to the south. Its front boundary abuts the front highway, Pontmorlais, and its rear boundary abuts the river, which runs along the rear of this property and other properties along Pontmorlais.

PROPOSED DEVELOPMENT

This application seeks planning permission to carry out renovation works to the property comprising the installation of a new roof to include new fascia and rainwater goods, the erection of a new shop front with roller shutter, new replacement windows and rooflights and the rendering of elevations. The proposal also includes the erection of a solar panel to the rear roof slope. This part of the development, given its siting and projection, would

amount to permitted development and as such, the proposed erection of a solar panel would not be considered under the assessment of this application.

Specifically, the works would relate to the following:

- The new roof would consist of natural slate with a new softwood fascia and cast-iron rainwater goods;
- The new hardwood shopfront would replace the existing shopfront and would comprise a central doorway, with decorative pillars either side and a low stallriser and would be painted green;
- A new perforated roller shutter would replace the existing solid roller shutter to the front elevation;
- New hardwood sliding sash windows to the front and rear elevations to replace the existing UPVc windows. New hardwood dormer window to the front roof elevation and new hardwood timber conservation roof lights to the rear roof elevation;
- The application of new cream smooth render to the front and rear elevations of the property.

PLANNING HISTORY

The following planning history is the most relevant and recent planning history relating to this site:

P/23/0096 – Change of use to tattoo parlour – Approved: 22nd May 2023

P/12/0311 – New shopfront and refurbishment of elevations – Approved: 6th February 2013

CONSULTATION

Consultations were not carried out under this application.

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...'*

- 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 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

- Supplementary Planning Guidance (SPG):

SPG3 – Shopfront Design, May 2013

Paragraphs 4.1 and 5.5 refer to the principles of good shopfront design and encourage the use of traditional shopfronts and traditional style windows.

- Other Guidance:

Merthyr Tydfil Town Centre Conservation Area (June 2009)

This document notes that the preservation of the conservation area is a priority, and section 6.4 specifically comments on the loss of historic shopfronts within the town centre. The area of Pontmorlais is characterised by tall and narrow fronted properties and this character should be preserved.

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed external alterations to the premises would be acceptable in respect of their impact upon the appearance of the premises and the character of the conservation area and article 4 area. The impact of the proposal upon residential amenity and ecology are also primary considerations.

Character and Appearance

The application site, a two-storey building located along Pontmorlais High Street, lies within the Town Centre Conservation area and within an Article 4 Area. The unsympathetic alterations that have been carried out overtime have resulted in a building which does not enhance the character and appearance of the area and fails to make a positive contribution to the vitality of the Pontmorlais High Street.

The proposed refurbishment of the external elevations of the premises, particularly to the front elevation, would result in the addition of a traditional hardwood shopfront with symmetrical pilasters either side, stallriser below and a central doorway. These features are reflective of its historic appearance and provide an attractive frontage framing the entrance into the premises. Other alterations include the installation of a new slate roof, new hardwood sliding sash windows including a hardwood dormer window and hardwood rooflights, new cast iron rainwater goods and new smooth rendered elevations throughout. These alterations essentially seek to enhance the appearance of the building and preserve its character for the future. It is therefore considered that these alterations would not only revive the appearance to the building, but would also serve to retain interest and character, particularly to its primary frontage. Whilst it is acknowledged that a new external roller shutter would continue to be included as part of the renovation works and generally such works would not be supported in conservation areas, it should be noted that the replacement roller shutter seeks to provide continued security for the premises. Furthermore, it would be perforated and as such would remove the 'dead' frontage feel currently resulting from the existing solid roller shutter. In addition, the roller shutter mechanism would continue to be concealed behind the front fascia. Thus, the removal of the solid roller shutter and its replacement with a perforated roller shutter would therefore be welcomed in this instance.

The proposed development, when viewed individually or as part of the wider street scene, would be considered to enhance and positively contribute to the character and appearance of the building, conservation area and overall town centre shopping environment and would therefore accord with LDP Policies SW11 and CW1.

Residential Amenity

The proposed works to the property relate to the refurbishment of the building which includes the installation of a new roof, windows (within existing openings), etc. As such, it would not include any external alterations which would have an adverse impact on the privacy or amenities of nearby occupiers. Thus, given the nature of the proposal, the proposed alterations would not be deemed harmful to the amenities of nearby occupiers and would therefore comply with SW11.

Ecology

Given the nature of the works proposed, which includes a new natural slate replacement roof, the application has been supported by a bat report. The report was reviewed by the Council's Ecologist who has not raised any concerns or objections, and as such, is satisfied with the conclusions reached (i.e. no evidence of bats were found, negating the need for further survey work) and the recommendation works proposed (i.e. enhancement measures in the form of bat and bird boxes).

A Green infrastructure statement (GIS) has also been submitted as part of this application. The document sets out the step-wise approach, which includes mitigation and compensation measures, namely roosting and nesting opportunities for bats and birds, and stipulates that these should be carried out prior to the commencement of works. The Council's Ecologist has reviewed the GIS and is satisfied with the document.

The proposed development, provided it is carried out in accordance with the recommendations set out in the relevant reports, which can be secured via a suitably worded condition, would be considered acceptable and would accord with LDP Policy EnW1.

CONCLUSION

For the reasons set out above, the proposed development is considered acceptable and would therefore comply with the relevant policies.

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.

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:

- Proposed Plans, Elevations and Section High St 19 01K, received: 28th November 2024;
- A Bat Survey Report prepared by Little Wing Ecology on behalf of Raynes Scaffolding & Ground Works for Red Panda Tattoos. Version 2, received: 6th November 2024;
- Green Infrastructure Scheme P/24/0127 V2 06.11.2024, received 6th November 2024.

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

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

- sliding sash hardwood windows, dormer window and conservation roof lights (to include section details) ;
- cast iron rainwater goods;
- natural slate;
- cream smooth render (to include name of manufacturer and name of product).

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.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 28.11.2024