

DELEGATED REPORT

Application No: P/20/0090

Site Address: 73 Pontmorlais
High Street
Merthyr Tydfil
CF47 8UN

Development: Single storey rear extension (featuring walkway above). Alterations to door and window openings to rear elevation

Case Officer: Caroline Pulley

Site Visit:

Application Expiry Date: 25th June 2020

Consultation reply date expired: 25th May 2020

APPLICATION SITE

The application site relates to a public house situated within the Pontmorlais area of Merthyr Tydfil Town Centre. The public house has been vacant for a number of years and has recently been in a state of disrepair. It is currently undergoing some renovation following the approval of planning permission in 2006 (P/06/0029) and 2019 (P/19/0057) for some external refurbishment works and for the change of use of the first and second floors to residential flats.

The property fronts onto the main High Street. It is surrounded by a number of commercial properties including an A3 Chinese takeaway which is located to the north of the site. The end of terrace building to the south of site appears to be in residential use in the form of flats. To the rear there is an enclosed hardstanding providing off road car parking.

The site lies within the settlement boundary and forms part of a designated conservation area. It also falls within the C2 Flood Risk Zone and the nominated Article 4 Area of the Town Centre.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single storey extension to the rear of the building and associated external works to the rear elevation of the property. Planning permission (P/19/0057) was granted in April 2019 for the conversion of the first and second floors of the building to provide 5 one bedroom flats, together with associated external alterations. Since the approval of this application, it became apparent to the developer that several aspects of the proposed design and layout did not conform with current Building Regulations. To overcome this, the current planning

application proposes the construction of a small single storey rear extension, featuring a rooftop walkway and several alterations to the rear elevation of the existing building.

The proposed extension would be positioned alongside the southern boundary of the site. It would measure 2.9m wide, 4.5m deep and would accommodate a beer cellar and sprinkler store tank. Its flat roof would measure 3m in height and would feature an enclosed balcony/walkway area which would provide a means of access from the first floor stairwell. The rooftop walkway would be enclosed to its side and rear edge by a 1.1m high galvanised steel balustrade. A set of steps would be positioned to the rear of the extension providing a means of access to the adjacent hardstanding area which is at a higher level. It should be noted that the proposed walkway and access steps would now form the main and sole point of access to the first and second floor flats (The previous approved scheme proposed a ground floor rear access. This has now been omitted from the scheme).

Other key alterations/works include:

- The installation of a galvanised steel balustrade to the top of the lower yard retaining wall and the construction of a new set of concrete steps between the lower yard area and the rear hardstanding area.
- The blocking up of two rear windows in the escape stairwell to prevent the spread of fire.
- Repositioning of the refuse store to the south of the proposed car parking bays (the refuse store was originally proposed to be located within the north-eastern corner of the rear curtilage).
- Change the rear facing ground floor doorway (originally serving the stairwell) to a window.
- Change a first floor rear stairwell window to a doorway (to provide access to the proposed rooftop walkway)
- Minor change to the design and size of two first floor rear facing windows serving the living room belonging to flat 3.
- Relocation of the shower/bathroom in flat 5 to the void roofspace contained within the existing rear extension.
- Blocking up of a doorway and changing a window to a powder coated steel security door within the south facing side elevation of the existing rear extension.
- Amendments to the southern boundary of the site consisting of the provision of a new 2.1m high steel vehicular access gate (previous scheme proposed the existing gates be replaced to match the existing), a new brick pier and the inclusion of a 2.1m high steel pedestrian access gate.

PLANNING HISTORY

The planning history relating to the property is as follows:

- P/19/0057 Conversion of building to provide 5, one bedroom flats at first and second floor with associated external alterations. Granted – 18.04.2019
- P/13/0367 Change of use to 4 flats on first and second floor. Reinstate historical features to the facade of the building, including sash windows, decorative ground floor windows and wooden mouldings to the windows and doors. Granted – 15.01.2014

P/06/0029 Alteration of two flats on 1st and 2nd floor to four flats and erection of external staircase to rear elevation. Granted – 16.03.2006

P/97/0050 1 No. Double sided pictorial sign 1 No. fascia sign and 2 No. amenity boards
Granted – 07.03.1997

CONSULTATION

Council's Conservation Officer - Raises no objection to the scheme.

Welsh Water - Raises no objection to the scheme.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining 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

The site is situated within the defined settlement limits. It forms part of the Merthyr Tydfil Town Centre Conservation Area and the nominated Article 4 Area of the Town Centre. The site also lies partially within Flood Zone C2.

The following National and Local Development Plan Policies are relevant to the assessment of this application.

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant sections are:

Sections 3.3 – 3.16 sets out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Section 4.3.3 acknowledges that in order to ensure maximum contribution to the well-being goals the planning system must promote viable urban and rural retail and commercial centres. It must sustain and enhance the vibrancy, vitality and attractiveness of retail and commercial centres.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 12 - Design advises that the Assembly 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.

TAN 15 – Development and Flood Risk classes residential development as highly vulnerable development.

TAN 24 – The Historic Environment provides specific guidance on how conservation areas should be considered as part of the planning system.

Local Policy

Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP) 2016-2031:

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy SW12 – Improving the Transport Network

Policy CW1 - Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW4 – Environmental Protection

Policy EcW3 – Retail Hierarchy – Supporting Retailing Provision

Policy EcW4 – Retail Allocation

Policy EcW5 – Town and Local Centre Development

Supplementary Planning Guidance (SPG)

Note No. 4 – Sustainable Design

Note No.5 – Nature and Development

PLANNING CONSIDERATIONS

The application site is a vacant, three storey public house situated within the Merthyr Tydfil Town Centre Conservation Area. The property is currently undergoing renovation following the approval of planning permission in 2019. The current proposal seeks full planning permission to construct of a single storey rear extension and walkway, and to make some amendments to the rear fenestration. The main considerations of this application are considered to be the impact of the development on the character and appearance of the conservation area, surrounding residents and highway safety.

In terms of visual amenity, the alterations being proposed to the exterior of the existing building are relatively minor and would have a limited impact on the character and appearance of the property. The proposed extension would also be of an acceptable scale and design and its siting next to the side wall of the extension at no. 74 Pontmorlais would help to limit the visual impact this particular aspect of the scheme would have upon the rear of the building. While it is regrettable that two stairwell windows are now proposed to be blocked up as part of this scheme, it is acknowledged that this change is required by Building Regulations for fire safety. Moreover, the Council's Conservation Officer has considered the proposed works and has not raised any objection to the scheme.

In terms of residential amenity, there are a number of flats surrounding the application site, including those at number 74 Pontmorlais (the property to the south). However, although there may be some disruption during the construction period the proposed extension, the proposed works would have no significant impact on the amenity of surrounding

occupants. The rooftop walkway would be sandwiched between the applicant's existing extension and the side wall of the two-storey extension located to the rear of 74. The primary view from the proposed walkway would also be over the rear of the application site and would not cause any adverse overlooking issues given that there are no windows within the rear or first floor side elevation of number 74. The view to the property on the other side would be obscured by the side wall of the applicant's extension so the extension or walkway would impinge on any residents who may reside on the upper floors of this building. It is also noted that there have been no objections received to this application as a result of the publicity exercise undertaken.

In terms of highway safety, it is noted that the parking layout shown on the submitted plans differs from the layout approved as part of application P/19/0057. However, there is already a hardstanding to the rear of the property and it is important to note that the extension and the associated works would have no impact on the number of parking spaces being proposed for the site. For this reason, there would be no adverse impact on highway safety.

It is important to note that the application site lies within Zone C2 as defined by the Development Advice Map (DAM) referred to under Technical Advice Note 15: Development and Flood Risk (TAN 15). However, having regard to the nature of the proposed development, being a small extension to the existing building, it is not considered that the flood risks associated with the development would be unacceptable.

Finally, 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

CONDITIONS/REASONS:

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:

- Approved plans - Drawing number 05, 03 Rev E received on 20.05.2020

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

3. **Before works commence** details/samples of the following shall be submitted to and approved in writing by the Local Planning Authority and all works undertaken shall be completed in accordance with such approved details/samples.

- i. Windows and doors (including colour)
- ii. Paint colour for all wall surfaces, rainwater goods and balustrades

Reason - To protect the character of the conservation area in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

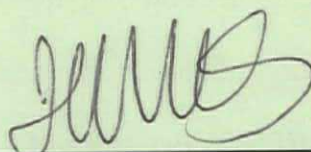
INFORMATIVES

1. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. They must be given reasonable time to advise as to whether the works should be carried out and, if so, the method to be used.

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.

2. 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 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

28/5/20