

DELEGATED REPORT

Application No:	P/22/0107
Site Address:	Merthyr Motor Auctions Red Barrel House Pant Road Dowlais Merthyr Tydfil
Development:	Erection of single-storey rear extension
Case Officer:	David James
Site Visit:	12th May 2022
Application Expiry Date:	30th June 2022
Consultation reply date expired:	31st May 2022

APPLICATION SITE

This application relates to a large commercial site, known as Merthyr Motor Auctions, which lies between the residential areas of Dowlais and Pant. The site is currently used as a vehicle auction business. The proposed development relates to the existing main building.

The site is bounded by the rear gardens of dwellings along Llewellyn Street and Pant Road, and the highway of Pant Road, to the west. To the south east is a footpath connecting Penywern to Victoria Street. To the east of the site are the elevated residential properties forming part of Wern Street, Brynwern Street and Beacons View. The elevated level is due to the fact that the rear of the auction building sits alongside a cliff face. To the north is an area of amenity grassland and the Heads of the Valleys (A465) Trunk Road.

The application site lies within the settlement boundary (and the Primary Growth Area) as designated within the Merthyr Tydfil Local Development Plan (LDP) 2006-2021.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the construction of a single-storey extension, with associated internal and external alterations, on the rear (east) elevation of the existing building, adjacent to the cliff face on the eastern boundary of the site. The extension would effectively fill a gap in the L-shaped rear elevation. It would accommodate toilets and a storage area.

The proposed extension would measure a maximum of 4.6m wide, 14m deep and a maximum of 3.4m high, incorporating a mono-pitched roof. It would have a roller shutter in its south elevation, and 5 windows in its east elevation. The walls of the extension would

be finished with render and steel cladding, and the windows would be white upvc, and the roof would be constructed of steel cladding

PLANNING HISTORY

This site has an extensive planning history, the most recent of which are listed below:

P/21/0234	Discharge of conditions 3 (landscaping details) and 5 (slope stability) of planning permission P/21/0008 DOC Approval 19/07/21
P/21/0008	Excavation of embankment to provide extended car parking area Full Approval 15/04/21
P/20/0262	Removal of condition H attached to appeal decisions APP6410/C/95/508749 and APP6410/C/95/508750, which currently restricts the use of the floodlighting (Removal of Condition Application) Full Approval 03/09/21
P/13/0074	Retention of 2 No. lamp-posts housing CCTV cameras and Public Announcement System Full Approval 02/05/13
P/12/0022	Demolition of existing part of building and erection of new two storey extension Full Approval 05/04/12

CONSULTATION

Engineering and Highways Manager	No objection
Ecologist	No objection
Environmental Health Manager	No objection
Welsh Water / Dwr Cymru	No objection
The Coal Authority	No objection
Welsh Government Highways	No response

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, two notices were displayed in the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 11 (February 2021) 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.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is 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.

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 EnW4 – Environmental Protection
Policy EcW9 – District Heating

Other Material Considerations – Supplementary Planning Guidance (SPG):

SPG 4 - Sustainable Design
SPG 5 - Nature and Development

PLANNING CONSIDERATIONS

The main issues to consider when assessing this application relate to whether the proposal would have an acceptable impact on the character and appearance of the existing property, and the wider area. The impact on the amenity of neighbouring residents is also an important consideration.

In terms of visual amenity, the proposed extension would be located to the rear of the existing main building, and adjacent to the cliff face, which forms the eastern boundary of the site. As such, it would not be readily visible from the surrounding area and would

therefore not have an adverse impact on the appearance of the existing building or wider area. Additionally, it is of an acceptable design and would be of a relatively small scale, which would not appear out of proportion with the main building. The submitted information indicates that the external finishing materials of the extension would be typical of a commercial or industrial building. Taking these factors into account, it is not considered that the extension would have an adverse impact on the appearance of the building or the wider area. In this respect, the proposal is found to be in accordance with policies SW11 of the LDP.

Regard has also been had for the impact of the proposal on the amenities of the surrounding occupants and residents. Having regard to the use (toilets and storage), siting (to the rear of the main building and adjacent to the cliff face), and small scale of the extension, it is not considered that the proposal would have a harmful impact upon the privacy or amenities of nearby occupiers. As such, the development is deemed to be acceptable with respect to residential amenity and thus in compliance with Policy SW11 of the LDP.

The Environmental Health Manager has recommended conditions in relation to the development. However, given the relatively small scale of the development, these are not considered necessary in this instance. A condition is recommended to secure the provision of a bat box in line with the request from the Councils Ecologist.

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:

MMA Extension 01B (Existing & Proposed Plans, Elevations, Section) received 5th May 2022

MMA Extension 02 (Existing & Proposed Plans) received 5th May 2022

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

3. Prior to works commencing on site, details for the provision of a bat box together with details of its location on the eastern (rear) elevation, shall be submitted to and approved in

writing by the local planning authority. The bat box shall be installed in accordance with the approved details before the extension hereby permitted 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. 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.

2. 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.

3. The applicant / developer is strongly advised to liaise with the relevant utility providers, in relation to any connections to the public sewer and/or to any works which affect the line of or are in close proximity to existing public sewers, water mains, wires, pipes or other utility infrastructure.
4. The developer is advised to liaise with the County Borough Council's Head of Engineering regarding this proposal, which involves works which affect the line of a

public sewer. A Notice under Section 18 of the Building Act 1984 in respect of a proposal to build over a public sewer must be signed before siteworks commence where relevant.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

