

DELEGATED REPORT

Application No:	P/20/0028
Site Address:	Former Site Of Johnny Owen Centre Forsythia Close Gurnos Merthyr Tydfil CF47 9DS
Development:	Change of use of vacant scrub land to provide a car park to be use (by staff and contractors) in association with Prince Charles Hospital
Case Officer:	Marlene Ferreira
Site Visit:	30th January 2020
Application Expiry Date:	24th March 2020
Consultation reply date expired:	20th February 2020

APPLICATION SITE

The application site relates to a parcel of scrubland measuring approximately 1735m² at the former Johnny Owen Centre site which is accessed off Forsythia Close, and through the existing car park formerly serving the Johnny Owen Centre building (demolished in 2018), in the area of Gurnos. The site, which also lies approximately 7 metres from the rear boundary with the properties located along Marygold Close, is located approximately 140 metres to the west of the main entrance serving Prince Charles Hospital site and is currently leased by the Cwm Taf Morgannwg University Health Board.

The car parking area formerly serving the Johnny Owen Centre is currently used by the contractors and construction workers involved in the refurbishment and improvement works at Prince Charles Hospital.

The application site lies within the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan 2016-2031. The site is also identified as an area of open space, Forsythia Close, natural/semi natural greenspace as designated within the Merthyr Tydfil Open Space Strategy.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of the parcel of scrubland immediately adjacent to the car park formerly serving the Johnny Owen Centre into a car parking area for a temporary period of six and a half years, whilst the refurbishment/improvement works are taking place at Prince Charles Hospital.

The proposed car parking area would provide 56 car parking spaces and would be sited adjacent to the existing car park formerly serving the Johnny Owen centre. The proposed temporary car parking area, to be laid in compacted DOT Type 1 surface with treated softwood timber edging, would be used by the contractors and construction workers currently working on the Prince Charles Hospital site. It would be enclosed by a 2.4 metre high wire mesh fence, finished in powder coated green. Six new six metre high streetlight columns with starbeam amber luminaires, would also be installed throughout the car park to adequately illuminate the area.

This proposal seeks to provide additional car parking facilities in support of the improvement works taking place at the hospital, whilst also preventing additional pressure upon the existing parking provision within the hospital site. Given the significant construction period of the improvement works at the hospital site, the temporary car park would be required for six and a half years. The land is thereafter proposed to be reinstated with landscaping and would continue to serve as part of the Forsythia Close open space.

PLANNING HISTORY

P/18/0302 - Prior notification for the demolition of the former Johnny Owen building - Prior Approval is not required: 16th October 2018.

P/18/0255 - Prior notification for the demolition of the former Johnny Owen building - Prior Approval is required: 5th September 2018.

P/97/0386 - Conversion of Public House and flat to Area Housing Office - Approved: 6th November 1997

CONSULTATION

Engineering and Traffic Group Leader	No objection.
Planning Division's Policy Officer	No objection.
Planning Division's Ecology Officer	No objection.
Planning Division's Landscape Architect	No objection.
Environmental Health Officer	No objection.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) Order (Wales) 2012, four site notices were displayed in the vicinity of the site. No letters of representation have been received following this publicity exercise.

POLICY CONTEXT

- Merthyr Tydfil Replacement Local Development Plan 2016-2031

SW4 - Settlement Boundaries

SW10 - Protecting and Improving Open Space

SW11 - Sustainable Design and Placemaking
SW13 – Protecting and Improving Local Community Facilities
EnW1 - Nature Conservation and Ecosystem Resilience
EnW4 - Environmental Protection

Supplementary Planning Guidance (SPG):

SPG no. 4: Sustainable Design (July 2013)
SPG no. 5: Nature and Conservation (May 2015)

Other Guidance: Merthyr Tydfil Open Space Strategy (June 2016)

PLANNING CONSIDERATIONS

The issues to consider in the assessment of this application relate to whether the proposed temporary change of use for the provision of a car parking area would be acceptable in principle and whether it would be considered appropriate with regards to its impact upon the character and appearance of the area, residential amenity, ecology, as well as parking provision and highway safety.

Principle of Development

The application site lies within the settlement boundary where new development is generally supported provided it complies with other LDP policies and material planning considerations. The principle of development in this location would therefore comply with LDP Policy SW4.

The site however, forms part of an area of open space, Forsythia Close, natural/semi-natural greenspace. As such, LDP Policy SW10 is also relevant to the consideration of this application. This policy states that *'Development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in a loss of open space will not be permitted unless it would not cause or exacerbate a deficiency of open space in accordance with the Council's open space standards or; the majority of the open space can best be retained and enhanced through the redevelopment of a small part of the site or; satisfactory equivalent community benefit or enhanced compensatory provision can be provided in accordance with the Council's open space standards and; in all cases, the open space has no significant nature or historic conservation importance...'* In this instance, the proposed car parking would in fact result in the loss of 1735m² of the Forsythia Close open space, and proposals of this nature would not generally be supported. However, as discussed within the Merthyr Tydfil Open Space Strategy (June 2016), the Forsythia Close, natural/semi natural greenspace is in significant need of positive management, in order to address the issues of bracken, broken glass, fires, rubbish and fly tipping in this area. It should also be noted that the entire Forsythia Close open space would not be lost as a result of this development. The majority of the Forsythia Close open space would be retained and remain unaffected, and any important landscaping within the development site, such as existing trees, would be protected during the works and incorporated within the proposed parking scheme. Furthermore, the car parking provision would be a temporary use for a period of six and a half years and would therefore not amount to a permanent or irreversible development.

In order to mitigate for the temporary loss of this part of the Forsythia Close open space, a landscape reinstatement strategy scheme and landscape management plan has been proposed and submitted with this application. The landscape re-instatement strategy indicates that following the removal of all fences, edges, surfaces, sub-bases and lighting, the existing trees would be retained and wildflower meadow planting and native shrubs would be planted once the temporary six and a half year period has expired (which would be conditioned as part of the approved application).

In addition, it should also be noted that the car parking is required to serve the contractors and construction workers currently upgrading Prince Charles Hospital. Indeed, these works would therefore be in line with LDP Policy SW13, which seeks to protect and improve local community facilities and states that *'the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP Policies and that the council will protect and support the enhancement of the County Borough's existing community facilities...'*

It is therefore concluded that the proposed development, as agreed by the Council's Landscape Architect, does not amount to an irrevocable proposal. Instead, this proposal seeks to support the upgrade of the hospital whilst also enhancing the quality of the open space in the long-term (which is in need of significant improvement). The proposed development would therefore comply with LDP Policies SW10 and SW13.

Character and Appearance

The proposed development has been considered in respect of its impact on the character and appearance of the area and it is noted that the erection of a 2.4 metre high fence on the perimeter of the site would enclose this area of scrubland and detract from its open and undeveloped character. Likewise, the surfacing of the land for the provision of 56 parking spaces, including installation of lighting, would also detract from the character and appearance of the area. However, in order to provide a safe, useable and adequate parking area, measures such as high fencing (which would be green and appear less visible when viewing the site within the wider area), a firm sub-base (which is recommended for the laying of car parks) and adequate lighting throughout the site (in the interest of health and safety) is required to appropriately serve the contractors and construction workers of the hospital site. Furthermore, it would be sited closely to the existing car parking area formerly serving the Johnny Owen Centre (which has now been demolished) and as such, would appear somewhat in context with the adjoining site to the east. In addition, once it is no longer required, the area would be cleared and re-instated to include additional landscaping with an associated management plan which, as previously mentioned, would essentially enhance the quality and value of Forsythia Close open space and its appearance within the surrounding area in the long-term. The proposed development would therefore comply with LDP Policy SW11.

Residential Amenity

The proposed development has been considered in respect of its impact upon the amenities of nearby occupiers, which are sited to the south of the application site, along Marygold Close.

The proposed temporary car park, would be located to the west of the existing car park (formerly serving the Former Johnny Owen Centre) and located to the rear of properties sited along Marygold Close. Given the siting and nature of the proposed development and

its temporary use, similar to the adjacent car parking use to the east, the proposal would not be considered significantly more harmful, in respect of noise and disturbance, to the amenities of these neighbouring occupiers. Whilst there are other properties located opposite the site, along Heather Court, these are located over 20 metres away (at its closest point) and as such, would not be considered to be adversely affected by this proposal. It should also be noted that no objections have been received from neighbouring occupiers or the Council's Environmental Health section. As such, the proposal would comply with LDP Policies SW11 and EnW4.

Ecology

The application site, being an area of scrubland and young woodland, suggests that it could be frequented by protected species such as bats, nesting birds, reptiles, invertebrates etc. As such, the Council's Ecologist requested that a Preliminary Ecological Assessment (PEA) be submitted in support of the application. The PEA was received on 15th April 2020 and was reviewed by the Council's Ecologist who concluded that due to the findings in the PEA, a method statement (in respect of reptiles, amphibians, nesting birds and small mammals), lighting details, a landscape plan, as well as the re-instatement and enhancement of the site was required to be submitted in support of the application. An Ecological Impact Assessment and Method Statement Report were received on 12th May 2020. The Council's Ecologist found the method statement to be acceptable provided it was conditioned as part of any approval. A Landscape Management Plan, Hard and Soft Landscape details, Soft and Hard Landscape Strategy and a Landscape Re-instatement Strategy were received on 17th August 2020 which were found to be acceptable by the Council's Ecologist and Landscape Architect. With regards to the lighting details, a feasible option was submitted on the 18th September 2020, which specifically refers to the Startbeam Amber, 6 metre high, galvanised lighting columns. Specific details regarding the days and times that the lighting columns would be illuminated would be requested by condition, prior to their use. The proposed development, provided it is carried out in accordance with the above conditions, would therefore comply with LDP Policy EnW1.

Parking Provision and Highway Safety

The proposed development, which would provide 56 additional parking spaces and which would be accessed off an existing car park with adequate access off Forsythia Close, would reduce pressure and prevent a reduction in the number of available customer and staff parking within the Prince Charles Hospital site, whilst the refurbishment of the hospital is taking place. The Engineering and Traffic Group Leader has considered the proposed development and has not raised any objections. As such, the proposal would comply with LDP Policy SW11.

CONCLUSION

The provision of an enclosed car park with associated lighting in an area of open space, seeks to support the upgrade of the hospital whilst allowing it to continue to operate and provide adequate parking for its staff, patients, visitors, as well as its contractors and construction workers. This is a temporary permission which, when expired, will allow for the enhancement of the existing open space, therefore improving its quality and value in the long term. As such, this temporary permission is considered to outweigh any temporary harm resulting from the loss of a section of the open space area. The proposal would therefore comply with the relevant LDP 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.

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:

- Red and Blue line Boundary, Number: 900802, Rev: P1, Phase :1B, received: 11th June 2020;
- General Arrangement, Number: 900801, Rev: P4, Phase: 1B, received: 2nd November 2020;
- Soft Landscape Strategy, Number: 900804, Rev: P2, Phase :1B, received: 17th August 2020;
- Hard Landscape Strategy, Number: 900803, Rev: P4, Phase: 1B, received: 2nd November 2020;
- Landscape Reinstatement Strategy, Number: 900804, Rev: P3, Phase :1B, received: 17th August 2020;
- Hard and Soft Landscape Details, Number: 900805, Rev: P5, Phase :1B, received: 17th August 2020;
- Landscape Management Plan (prepared by HLM Architects), received: 17th August 2020;
- Starbeam Amber Specification/Details, received: 18th September 2020;
- JOC Car Park #2 External Lighting, Number: 630007, Rev: T02, received: 25th September 2020;
- Ecological Impact Assessment report, received: 12th May 2020;
- Method Statement, received: 12th May 2020.

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

3. The use of the car park shall cease and all associated paraphernalia, including all edges, fencing, surfaces/sub-base and lighting, shall be permanently removed from the site within six and a half years of the car park first being brought into use. The site shall be re-instated as open space within the first planting season following the removal of the car parking area, and planted and thereafter maintained, in accordance with the Landscape Reinstatement Strategy (on Drawing: 900804, rev: P3, Phase: 1B, received: 17th August 2020) and the Landscape Management Plan (received: 17th August 2020). Any trees or plants which within a period of 5 years from the completion of the development die, are

removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - In the interest of visual amenity and to ensure the provision of an improved and enhanced open space area, in accordance with LDP Policies EnW1, SW10 and SW11 of the Merthyr Tydfil Replacement Local Development Plan.

4. **Before the car park lighting, hereby approved, is brought into use** details of the days and times the lights would be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. The car parking lights shall thereafter be used in accordance with the approved details.

Reason - In the interest of visual amenity and ecology to ensure compliance with LDP Policies EnW1 and SW11 of the Merthyr Tydfil Local Development Plan 2006-2021.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

5/11/20

