

DELEGATED REPORT

Application No:	P/22/0321
Site Address:	The Wern Field Merthyr Tydfil Rugby Club Ynysfach Merthyr Tydfil CF48 1AE
Development:	Proposed new changing room building
Case Officer:	Caroline Pulley
Site Visit:	19th December 2022
Application Expiry Date:	7th February 2023
Consultation reply date expired:	9th January 2023

APPLICATION SITE

The application site is known locally as the Wern Field. It is an enclosed site, which is used as the home venue of Merthyr Tydfil Rugby Football Club.

The site is bound by the highway of Penlan View to the north, the highway of Ynysfach Road to the east, and wooded and grassed areas to the south and west. The land is flat. It currently consists of:

- Two pitches (one grass, one artificial) at right angles to each other.
- A clubhouse, covered, tiered spectator stand (with changing rooms) and a single-storey detached hospitality suite to the northern boundary.
- A 78m long, ground-level spectator stand to the eastern boundary.
- Nineteen flood-lights.
- A training building located to the south of the northern pitch.
- Two enclosed and tiered spectator stands.

This application specifically relates to a rectangular parcel of land situated between the two pitches. This area currently comprises a tiered spectator stand.

PROPOSED DEVELOPMENT

This application seeks planning permission for the construction of a changing room building between the two pitches at the site. The proposed building would be a single storey structure measuring 24.4m wide by 6.1m deep. Its flat roof would measure 2.9m in height from ground level and would be made from Polymer. The building would be orientated to face north (towards the artificial pitch) and would include two changing rooms (with shower facilities), a kitchen, store, two boiler rooms, a treatment room and toilet facilities. The external walls of the building are to be finished in green and gold cladding.

The application is accompanied by a Geo-Environmental Report.

PLANNING HISTORY

The recent planning history relating to the site is as follows:

P/21/0220	New access road and parking with associated re-profiling of ground Approved – 16.09.2021
P/20/0217	Retention of new clubhouse/community hub, erection of 8 new floodlights, new vehicle access, retaining walls and car parking. Increase to curtilage. Approved – 21.06.2021
P/20/0179	Variation of condition 4 and 5 of planning permission P/19/0123 for new clubhouse and community hub Approved – 14.09.2020
P/19/0123	New clubhouse and community hub for private and public social functions (to include re-positioning of a floodlight and associated retaining works) Approved – 27.06.2019
P/16/0108	Retention of spectator stands with associated toilet facilities and concrete path, erection of training building, installation of artificial training surface, erection of floodlights and dug outs, creation of hard surfaced parking areas and two new access points. Approved – 21.07.2016
P/15/0103	Erection of spectators stand including hospitality suite, training area and changing rooms, installation of artificial playing surface, erection of floodlights and dug-outs, creation of hard surfaced parking areas and 2 new access points. Approved 15.10.2015
P/09/0285	Erection of a covered terrace and seating area (retrospective application) Approved – 15.01.2010
P/08/0447	Erection of covered terrace and seating area Approved – 22.01.2009
P/97/0214	Upgrading of existing floodlights with installation of 6. No. new floodlights and associated equipment house. Approved – 03.07.1997

CONSULTATION

Head of Engineering and Highways: No response.

The Coal Authority:	No objection.
Environmental Health Manager:	No objection.
Welsh Water:	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the adjoining properties and site notices were displayed within 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:

Section 2.1 – 2.8 highlights that the planning system has an important role in creating sustainable places and improving the well-being of communities. It states *‘The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.’*

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 4.5 points out that ‘Recreational spaces are vital for our health, well-being, amenity and can contribute to an area’s green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. It advises that planning authorities should provide a framework to deliver *‘well-located, good quality sport, recreational and leisure facilities, and develop clear policies for the enhancement of sport, recreation and leisure facilities.’*

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.

TAN 16 – sport, recreation and open space advises on the role of the planning system in making provision for sport and recreational facilities and informal open spaces, as well as protecting existing facilities and open spaces in urban and rural areas in Wales.

Local Policy

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

Policy SW4 – Settlement boundaries

Policy SW10 – Protecting and Improving Open Spaces

Policy SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

Policy EnW4 – Environmental Protection

Other guidance:

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

Supplementary Planning Guidance (SPG) Note No. 5 – Nature and Development

CSS Wales Parking Standards 2008

PLANNING CONSIDERATIONS

The application site is located within settlement limits, and within the Primary Growth Area, as defined by Policy SW4 of the LDP. Therefore, the principle of erecting a new changing room building on the site is acceptable.

The main issues to be considered when determining this application are therefore:

- The impact of the development on the character and appearance of the existing site and the wider area;
- The impact of the development on the amenity of neighbouring residents;
- The highway/pedestrian safety implications of the development.

Impact on the character and appearance of the area

The proposed development is located within the settlements limits and is located within the boundaries of the Wern Field, which has historically been used for rugby purposes. The proposed development, in terms of the continued use of the site as a sports venue is therefore considered acceptable and is in line with Policy SW4 of the LDP.

The changing room building, in terms of its siting, size and design is considered acceptable. While it is appreciated that the proposed building is not of an exemplar design, the site is a sports ground where these types of structures are commonplace. It is also noted that the building would replace an existing spectator stand which is visually not of any merit. Moreover, views of the building from the north would be screened by the long spectator stand which lies along the eastern roadside boundary. As such, in this

location and context, the design and appearance of the proposed building would not be harmful to the character and appearance of the surrounding area.

Impact on residential amenity and privacy

In terms of the impact on residential amenity, the changing room building would not have a significant impact in terms of overlooking or overshadowing impact due to its distance from nearby residential properties. There could however potentially be some noise and disturbance issues from its use. However, the combination of its siting (close to the existing spectator stands and pitch), distance away from residential properties and orientation would ensure that there would be no significant loss in amenity (in terms of noise and disturbance). Furthermore, the type of noise and disturbance (associated with football matches and games) could already occur at the sports ground. Therefore, the introduction of a changing room facility would not be considered a significant issue that would warrant a refusal of planning permission. It is also noted that the Council's Environmental Health Manager has not raised any objection to the application.

Access and highway safety

In terms of parking, while it noted that the Head of Engineering and Highways has not responded to this application, it is not anticipated that there would be any greater impact on highway safety or on the demand for parking than that which currently (or could) exist as a result of the use of this sports ground.

Ecology

In respect of ecology, the Council's Ecologist has concluded that survey work would not be required in respect of this proposal. However, in accordance with the Environmental Wales Act (2016) and Welsh Government Circular 'Securing Biodiversity Enhancements' (2019), the Council's Ecologist has requested that a wildflower area is created along the western, eastern and southern boundaries of pitch 2 (to the south of the proposed changing room building). In this instance, given that the proposal would replace an existing structure and taking into account its size and the overall use and nature of the site as a sports field, it would not be reasonable or necessary to impose a condition to require the provision of wildflower planting areas on the site.

Other considerations

The application site lies within an area of 'High Risk', in relation to historical mining. A Geo-Environmental report was considered by the Coal Authority who concurred with the recommendations of the report and raised no objection to the scheme.

Conclusion

Having regard to the above, the development is considered acceptable and complies with 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:

Proposed Site Plan Drawing No. Wern 3 Planning 01A received on 13.12.2022
Proposed Location Plan and Sections Drawing No. Wern 3 Planning 02 received on 13.12.2022

Drawing No. 2640/03A received on 13.12.2022

Drawing No. 2640/03A received on 13.12.2022

Geo-Environmental Report received on 13.12.2022 and email from agent dated 13.01.23 containing additional comments from Dr Malcolm Blandford

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

3. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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 applicants/developers attention is drawn to the comments of the Authority's Environmental Health Section regarding the potential problem to neighbouring properties arising from the creation of noise and dust during the construction process. To avoid unexpected and unnecessary enforcement action, the applicants/developers are advised to contact the Environmental Health Section prior to the commencement of development to agree an appropriate method of noise and dust suppression.

The developer must ensure that all waste arising from the site is disposed of at a site licensed for its reception. Under no circumstances shall waste be burnt on site.

4. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e., a drain which extends beyond the connecting property boundary) or via a new sewer (i.e., serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact Welsh Water's new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that 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



Director of Neighbourhood Services

DATE:

27/1/23