

DELEGATED REPORT

Application No:	P/22/0078
Site Address:	Marsh House 15 Dynevor Street Georgetown Merthyr Tydfil CF48 1AY
Development:	Change of use from care home to emergency and temporary supported living accommodation along with a community hub for service support providers.
Case Officer:	Huw Roberts
Site Visit:	4th April 2022
Application Expiry Date:	23rd September 2022
Consultation reply date expired:	25th April 2022

APPLICATION SITE

This application relates to an existing two storey, red brick, building which was previously used as a 50-bed care home offering residential, nursing and dementia care for the elderly. The application site is rectangular in shape and consists of a long irregular shaped building (which covers the majority of the site) and a car parking and turning area at the northern end. It is accessed from Dynevor Street (to the west) and is bound by The Daffodils Care Home and Territorial Army buildings to the north, the River Taff to the east and an area of vacant land (being used for car parking), Merthyr Hand Car Wash and a takeaway chicken establishment to the west. To the south is Merthyr Tydfil Fire Station.

PROPOSED DEVELOPMENT

Full planning permission is sought for the change of use of the existing care home (C2 Use Class) to emergency and temporary supported living accommodation along with a community hub for service support providers (Sui Generis Use Class). Internally the building would be divided into 3 areas:

- The southern part of the building would operate as (a 10 bed independent unit) young persons Emergency Supported Accommodation. The unit would be staffed 24 hours a day. Each bedroom would have an en-suite. Over the two floors there would be communal dining space, a kitchen, games room and a TV room. It would have an independent entrance and have a staff office/reception.
- The central section of the building would provide Temporary Supported Accommodation. It would be accessed via a lobby entrance along the riverside elevation of the building. There would be 22 bedrooms in total (8 on the ground floor and 14 on the first floor) each with an en-suite and kitchenette. Over the two

floors there would be communal dining space, a kitchen, games room and a lounge. It would be staffed 24 hours a day with associated offices and support accommodation.

- The northern section (main entrance to the existing building) would contain the community hub. This flexible area, which would be utilised by both residents and the wider community, would comprise three large spaces with a commercial kitchen and smaller rooms on the periphery.

There would be minimal alterations to the external appearance of the building. The main change would be the introduction of an external spiral staircase to be erected at the mid-point of the eastern elevation. The staircase would be covered with an aluminium weather covering.

The following documents support the application:

- Technical Note (GC4168-RED-74-XX-RP-L-0001) – Bat Potential Roost Assessment (PRA)
- Bat Survey Report (GC4168-RED-74-XX-RP-L-0002)
- Planning/Funding Submission (MSH-CAP-XX-XX-RP-A-000011_P00)

PLANNING HISTORY

There is no relevant planning history.

CONSULTATION

Head of Engineering - No objection

Planning Division's
Policy Officer - No objection

Environmental Health
Manager - No objection

Natural Resources Wales - No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and 5 site notices were displayed within the vicinity of the site on 04/04/2022.

As a result of this publicity exercise, no objections were received.

POLICY CONTEXT

National planning 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:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Para 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Technical Advice Notes (TAN):

- TAN 4, Retail and Commercial Development, November 2016
- TAN 5, Nature Conservation and Planning, September 2009
- TAN 15, Development and Flood Risk, July 2004
- TAN 18, Transport, March 2007
- TAN 11, Noise, October 1997
- TAN 12, Design, March 2016

Local planning policy

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

- Policy SW4 - Settlement Boundaries
- Policy SW11 - Sustainable Design and Placemaking
- Policy SW12 - Improving the Transport Network
- 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 Retail Provision
- Policy EcW5 - Town and Local Centre Retailing Areas

Supplementary Planning Guidance (SPG):

- SPG4 - Sustainable design, July 2013.
- SPG5 - Nature and Development, May 2015.

PLANNING CONSIDERATIONS

The application site is located within the settlement (and town centre) boundary where the majority of new development is generally encouraged and supported by policy SW4 of the LDP. This proposal seeks to bring a vacant building back into beneficial use, which would have a positive impact on the wider regeneration of the area and town centre. In this regard, policies EcW3 and EcW5 of the LDP support development that enhances the vitality and viability of the town centre, which is the favoured location for retail, leisure and other complimentary uses. Given the existing use of the property (care home), the proposal is deemed to be acceptable and a complimentary use.

It is appreciated that this development would introduce highly vulnerable development in a C2 flood zone which is usually unacceptable as outlined in TAN15. However, the existing use (care home) is also classified as highly vulnerable development and it is noted that, as a result of the proposal, the number of bedrooms would be reduced from 50 to 32. It is also noted that the bedrooms on the ground floor would be reduced from 17 to 11. Therefore, the proposal would introduce a use which is 'less vulnerable' than the existing use. As such NRW has raised no objection of flooding grounds. As such the proposal accords with policy EnW4 of the LDP.

There is little alteration to the external appearance of the building with the only significant addition being an external staircase to the rear. This would not be visible from any main vantage points and its design is considered acceptable. As such the proposal accords with policy SW11 of the LDP.

The building is located in close proximity to what can be described as relatively 'noisy' uses (such as A3 public houses and a car wash facility). Therefore, although the proposal may result in more comings and goings than the previous use, there would not be any significant impact in terms of noise and disturbance to neighbouring residents/occupiers. It is also noted that no objections have been received as a result of the publicity exercise undertaken. As such the proposal is acceptable in terms of policy SW11 of the LDP.

There is sufficient car parking and manoeuvring facilities within the site and the surrounding road can easily accommodate any additional traffic generated by the use. Given this, the Head of Engineering has not objected to the application. Therefore, the proposal accords with policy SW11 of the LDP.

Finally, the submitted bat survey concludes that the building is not being used as a bat roost, however, four species of bat were identified that were mainly foraging around the River Taff. The bat activity around the building was regarded as very low. The Ecologist has raised no objection subject to roosting bat boxes and bird boxes being installed on suitable trees to the east of Marsh House. With these enhancements the development accords with policy EnW1 of the LDP.

CONCLUSIONS

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.

For the above reasons, the proposed development is acceptable and complies with the relevant LDP policies. 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 Elevations ED/102180
- Proposed Escape Stairs received on 08/04/2022
- Bat Survey Report (GC4168-RED-74-XX-RP-L-0002)
- Planning/Funding Submission (MSH-CAP-XX-XX-RP-A-000011_P00)

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

3. **Prior to the occupation of building**, details for the provision of 2 bat boxes and 2 bird boxes located on trees to the east of the building shall be submitted to and approved in writing by the local planning authority. Plans shall be provided to illustrate their location on the trees, together with details of the type of bat boxes and bird boxes. The bat and bird boxes shall be erected in accordance with the approved details prior to the building being brought into beneficial use.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

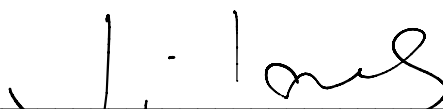
INFORMATIVES

1. The developer is advised to review the comments received from Natural Resources Wales (NRW) regarding the flood risks associated with the development.
2. In relation to condition 3, the Council's Ecologist suggests the use of the following:

Bat Boxes - 2FN Schwegler boxes (as specified in Bat survey report)

Bird Boxes - 1 '1B Schwegler Nest Box' (<https://www.nhbs.com/1b-schwegler-nest-box>); and 1 '2H Schwegler Robin Box' (<https://www.nhbs.com/2h-schwegler-robin-box>)

RECOMMENDATION ENDORSED


Head of Town Planning

DATE: 29th July 2022

