

DELEGATED REPORT

Application No:	P/21/0220
Site Address:	The Wern Cae'r Wern Ynysfach Merthyr Tydfil CF48 1AE
Development:	New access road and parking with associated re-profiling of ground
Case Officer:	Caroline Pulley
Site Visit:	8th July 2021
Application Expiry Date:	6th September 2021
Consultation reply date expired:	4th August 2021

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 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.
- A hard-surfaced parking area (for approximately 31 cars) to the east of the main stand, accessed via Ynysfach Road.
- 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 'L' shaped parcel of land situated to the west and south of the most southern pitch.

PROPOSED DEVELOPMENT

This application seeks full planning permission for the creation of a new parking area and an associated access road to the south of the site.

Specifically, the scheme involves the creation of 105 parking spaces (10 of which would be disabled bays) on the land to the west and south of the most southern pitch. The existing access along the eastern boundary would be moved approximately 2.5m to the south and a new opening and a pedestrian gate would be provided onto Ynysfach Road. No specific details have been provided for the pedestrian access gate. The access road would vary in width within the site and would generally range between 3.5m (at its narrowest point next to an existing floodlight) and 7m in width. The access road and parking bays would be finished with permeable gravel surface. The scheme also includes four electric vehicle (ev) charging points.

PLANNING HISTORY

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.

CONSULTATION

Head of Engineering:	No objection.
Environmental Health Manager:	No objection.
The Coal Authority:	No objection.
Welsh Water:	Raises no objection to the scheme but highlights that the site is crossed by a trunk watermain and no structure should be sited within 4.5m from the centre line of the main.
Council's Ecologist:	No objection subject to all mitigation, compensation and enhancement measures being implemented in accordance with the Ecological Assessment.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring 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 TANs to this application are as follows:-

TAN 11 – Noise provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development.

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.

TAN 18 – Transport describes how to integrate land use and transport planning. It explains how transport impacts should be assessed and mitigated.

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 providing a new car park area within the site's curtilage is acceptable. It is also reiterated that planning permission has been previously approved for a large parking area in this general location.

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

While the creation of additional hard surface areas would change the character of the site, it is not considered that the siting of the parking areas or the access road would be harmful to the character and appearance of the area. Moreover, there is already an existing hard surface track on the site. Although this proposal would cut into the western side of pitch 2, a significant amount of green area would be retained on the site. As such, the application is deemed acceptable in terms of its visual impact.

Residential amenity

Consideration has been given to the potential impact of the proposed scheme on the amenities of the local residents. In this respect, it is not considered that the scheme would have any significant impact. It is important to acknowledge that the provision of car parking in this location could result in increased noise and disturbance to local residents. This would be particularly evident on match days. However, this intensification of the use of the site would likely be confined to a limited time period on certain days of the week. Additionally, given the proposed car parking provision, users of the facility would be able to park within the site rather than on the highways of Ynysfach Road, Cae'r Wern or Penlan View. This would move the activity further away from the dwellings, thus limiting noise and disturbance in these areas. It is also important to note that the car parking area is situated on the opposite side of the highway to neighbouring properties and the nearest parking bay would be set in the site's boundary. Furthermore, planning permission has been previously approved for a car parking area in this general location.

Having regard to the above points, and given the lack of objection from local residents, any impact on local residents from noise and disturbance would not be significant enough to warrant refusal of the application. As such, the proposal accords with Policy SW11 of the LDP.

Parking and highway safety

The submitted plans indicate that the proposed development would include provision for a total of 105 spaces (including 10 disabled parking bays and 4 electric vehicle charging points). The supporting statement provided by the applicant states that 43 parking spaces would be lost on the site as a result of the development. As planning permission has recently been approved for a clubhouse on the site, the reduction in spaces and the lack of parking for buses was a concern and this matter was raised with the agent. In this respect, the agent has confirmed buses will continue to utilise the parking area to the north of the site and there would be no changes to these arrangements. Additional information was also provided highlighting that there would still be in excess of 153 spaces on the site. Having regard to the information put forward by the applicant (which includes Match Day Parking Enforcement details), the Head of Engineering has not raised any objection to the

proposed scheme. In light of this, it is not considered that the scheme would impinge on highway or pedestrian safety.

Other considerations

The application site lies within an area of 'High Risk', in relation to historical mining. A Mining Risk Assessment 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

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:

Drawing No. Wern 2 PRSD 04A received on 03.08.2021

Drawing no. WERN 2 PRSD 03 received on 22.06.2021

Ecological Assessment BE Ecological Ltd. March 2021. Issue 1, VC. Dated 09/09/21

Mining Risk Assessment received on 12.07.2021

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

3. Before any access gates or fences are erected, details shall first be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests

of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. If a drop kerb is required, an application form to obtain permission for this aspect of the development can be obtained from the highways department;

Website : <https://www.merthyr.gov.uk/resident/parking-roads-and-travel/roads-footways-and-pavements/dropped-kerb/>

Email : Highways.CustomerCare@merthyr.gov.uk Tel no : 01685 727470 or 725000

2. 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.

3. 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.

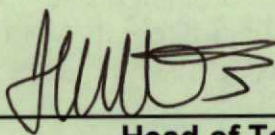
Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

4. If any coal mining features are unexpectedly encountered during development this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

5. The developer's attention is drawn to the comments received from Dwr Cymru Welsh Water. The proposed development is crossed by a trunk watermain. Dwr Cymru Welsh Water as statutory Undertaker has statutory powers to access their apparatus at all times. The developer must contact Dwr Cymru Welsh Water before development commences.

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:

16/9/21