

DELEGATED REPORT

Application No:	P/23/0251
Site Address:	Dowlais Rugby Club Blaen Dowlais Dowlais Merthyr Tydfil CF48 3RB
Development:	Erection of extension to link rugby club building with existing shower block and other associated alterations
Case Officer:	Rebecca Owens
Site Visit:	23rd October 2023
Application Expiry Date:	30th January 2024
Consultation reply date expired:	2nd August 2024

APPLICATION SITE

The application site relates to Dowlais Rugby Club which is situated within the residential area of Dowlais. The club building is accessed from the highway of Blaen Dowlais. It is set back from the road by a small car parking area. To the rear, the club building faces a larger car parking area, beyond which is a small grassed area which is enclosed behind palisade fencing. The rugby field lies to the south-east of the club and to the rear of numbers 41 and 82 Blaen Dowlais.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of an extension to link the rugby club building with an existing shower block and other associated alterations.

The proposed extension would be 3m in width to fill the gap between the two existing buildings and the same depth as the current shower block (9.6m). It would also have a pitched roof the same height as the existing show block (5.6m) which would appear as a continuation of this roof tying into the roof of the main club building.

Other external alterations relate to fenestration which are outline below:

- The windows in the existing southern elevation of the main building would be removed and a new larger window inserted to serve the Hall.
- New window openings and a replacement door would be introduced into the western elevation and a new window would be inserted into the western gable elevation.
- New window openings would be introduced into the eastern elevation and a new window would be inserted into the eastern gable elevation.

PLANNING HISTORY

The recent planning history is detailed below:

P/21/0125 Erection of canopy and outdoor seating
 Granted planning permission subject to conditions on 13 May 2021

CONSULTATION

The following bodies were consulted and their responses are presented below:

Ecologist	No objection subject to mitigation
Environmental Health Manager	No objection subject to conditions
Coal Authority	No objection
Natural Resources Wales	No objection subject to conditions

PUBLICITY

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

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) 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.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW4 Environmental Protection
- EcW7 Tourism, Leisure and Recreation Development

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle

The application site is located within the settlement boundaries and as such the principle of development is acceptable subject to compliance with other relevant policies and material planning considerations.

In this respect it is noted that the site relates to a rugby club which would be classed as a community facility. As such Policy SW13 would be applicable. However, it is considered that the proposal would enhance the current community facility and as such be in accord with this policy.

Design and visual amenities

The proposed extension would infill the gap between the main club building and a detached shower block resulting in one large structure. The proposed extension is considered to be of an acceptable design and scale which would appear as a seamless continuation of the shower block connecting it to the main building and would not appear out of place or discordant. The resultant larger building, would therefore be of an appropriate appearance and no concerns are raised with respect to the impact of the extension or indeed the alterations to the fenestration on the character of the property or indeed the visual amenities of the wider area. The proposal therefore complies with Policy SW11 of the LDP.

Residential amenity

The application site is located in a mainly residential area with dwellings located in the immediate vicinity. However, the proposed infill extension would be sited between two existing buildings and as such it would have no overbearing impact or result in any loss of light or overshadowing. In addition, no concerns are raised with respect to the additional/amended windows and doors in terms of overlooking or loss of privacy. Having regard to the above and noting that no objections were received following the publicity exercise, the proposal is found to be acceptable in terms of its impact on residential amenity and thus in accord with Policy SW11.

Ground stability

The application site is located within an area identified as being at high risk from past coal mining activity and as such a Coal Mining Risk Assessment was requested and subsequently submitted. This recognises the stability risks posed by both recorded shallow coal mine workings and the mine adit. However, given both the extremely modest scale of the link extension proposed and that it will be anchored to its two hosts, both of which are founded on rafts, the report concludes that any investigation would not be warranted and that such risks are very low. The Coal Authority has considered this and has not objected providing the precautionary measures proposed during construction are followed and works undertaken in accordance with the report recommendations.

Ecology

A Bat Preliminary Roost Assessment (PRA) was undertaken and the changing room building was found to hold a roost. As such surveys were undertaken on both buildings and a further Bat Survey Report was submitted with the findings. The club house was found to be of low to moderate potential for roosting use by bats and no evidence of bats using this building were recorded. However, the changing room block was confirmed as a bat roost.

The presence of the maternity roost is acknowledged, but this is located on the opposite side of the building to the proposed extension and works to the roof would only involve the extension roof being tied into the roof of the changing room building. Whilst the development would not result in the remove of this roosting location, which would remain in place and accessible to the bats, it is recognised that it could cause potential disturbance to the bats. As such a European Protected Species Licence is required and an informative to this effect should be included on any permission issued.

Having regard to this, the Ecology Officer has not raised any objection to the proposal subject to the recommendations and mitigation measures outlined in the report being implemented. Similarly, Natural Resources Wales have not objected to the development subject to the Bat Survey Report being included as an approved document. This will be recommended, and a condition should be imposed to ensure that the enhancements are provided and retained.

It is noted that chapter 6 of Planning Policy Wales (edition 12) requests that applications be supported by Green Infrastructure Statements (GIS). In this instance, due to the scale and nature of the development, which only includes a small infill extension, the submission of a GIS is deemed to be disproportionate and unreasonable. Notwithstanding this, ecological enhancement would be provided, which would provide additional habitats in the local area, which would contribute to the wider green infrastructure objectives. The proposed development would therefore comply with LDP Policy EnW1.

Conclusion

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:

Drawing Title: Proposed and existing elevations & floor plans, Drawing Number: 01, Received on 19 October 2023.

Drawing Title: Proposed and existing elevations Roof Plan, Drawing Number: 02, Received on 19 October 2023.

Coal Mining Risk Assessment: Land at Dowlais Rugby Club, Blaendowlais, Merthyr Tydfil, Report No. BC/MB/11.23.01. Produced by Blandford Consulting, Received on 5 December 2023.

Bat Preliminary Roost Assessment 2023, Revision 1, Produced by East Ecology, Received on 5 December 2023.

Bat Survey, Version V2.0, Produced by Ecological Services Ltd, Received 24 July 2024

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

3. The materials to be used in the construction of the external surfaces of the extension shall match those used in the existing building.

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.

4. **WITHIN 3 MONTHS** of the completion of the extension hereby approved, the bat box shall be installed in accordance with the Bat Survey produced by Ecological Services Limited. The bat box shall be retained in perpetuity thereafter.

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

5. Prior to the installation of any external lighting, a Lighting Scheme shall be submitted to and agreed in writing by the Local Planning Authority, which shall include:
- Details of the siting and type of lighting to be used, including the colour temperature
 - A plan illustrating the lux levels across the site to ensure dark corridors are maintained and that the access points to the roosting locations (existing/retained/new) are unilluminated.

The lighting scheme shall only be installed in accordance with the approved details and maintained as such thereafter.

Reason - To limit the impact on protected species and reduce light pollution in accordance with policies EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

INFORMATIVES

1. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 18.09.2024