

DELEGATED REPORT

Application No:	P/25/0035
Site Address:	The Rose Retreat Spa Cyfarthfa Park Merthyr Tydfil CF47 8RE
Development:	Erection of single storey extensions, decking and timber screen
Case Officer:	Rebecca Owens
Site Visit:	26th February 2025
Application Expiry Date:	11th April 2025
Consultation reply date expired:	19th March 2025

APPLICATION SITE

The application relates to a small detached building that operates as a spa with a small side garden area. The site is within the settlement boundary but is located within the Cyfarthfa Castle Historic Park and Garden which is Grade II* and contains a number of listed structures including the Grade I Listed Cyfarthfa Castle. It is also located in the Cyfarthfa Conservation Area and is adjacent to the Cyfarthfa Court residential development within which is the Grade II Listed Gwaelodygarth House.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of single storey extensions, decking and a timber screen.

Directly off the south eastern facing side elevation it is proposed to erect a relaxation room. This would be 3.33m in width by 6.65m in depth with a roof comprising of a mono-pitched, glazed section off the flank elevation and then a flat roof over the remaining area. This roof would also overhang the glazed south eastern elevation of the extension by 1.9m to create a covered external area over part of the proposed decking (see below).

Off the above relaxation room it is proposed to erect a W.C/Shower extension and a sauna room extension. The W.C/Shower extension would feature an acutely angled elevation and a curved elevation and it would project forward of the principle elevation of the main building by 1.29m. It would have a flat sedum roof. The sauna room extension would have a rectangular footprint with its south western elevation being 3.55m off the main side elevation of the building. It would also project forward of the principal elevation by 0.84m. The roof of the sauna extension would be partly flat with an angled, mono-pitched section sloping down to the south west. This roof would be covered with sedum.

The proposal also includes the enclosure of a narrow strip of land to the rear of the building to form a corridor from the female changing room in the main building to the

proposed glazed relaxation room. This would involve building a wall to enclose the north western side and the erection of a flat roof over the top 2.8m in height. It is not clear from the submitted plans how this roof would be supported and it would appear that a new section of fencing (0.94m in height) is proposed above the existing boundary wall to enclose this side of the corridor with the remaining section of the existing wall and fencing above enclosing the remaining stretch.

An area of decking is proposed off the south eastern elevation of the relaxation room extension and north eastern elevation of the sauna room extension. This would have two tiers, the highest being under the overhang of the relaxing room roof. This higher tier would be a maximum of 0.755m above ground level. The lower tier would be 0.38m above ground level.

A timber screen is proposed off the south western corner of the building which would run adjacent to the western and south western elevations of the side extension and terminate alongside the existing stone pillar of the entrance gates. This would comprise of vertical timber post of varying (and inconsistent) heights. It would have a maximum height of approximately 4.1m.

Finally, the plans also include the replacement of a rear first floor window with a new double glazed window.

PLANNING HISTORY

The relevant planning history is summarised below:

P/17/0135 Change of use from office to beauty salon (Sui Generis use)
 Granted planning permission

CONSULTATION

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

Head of Engineering and Highways	No objection
Planning Policy Officer	No objection
Planning Ecologist	Additional information requested

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and two 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 (Listed Buildings and Conservation Areas) Act 1990

Section 72 refers to the general duty as respects conservation areas in exercise of planning functions with subsection (1) noting “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”

Planning Policy Wales (Edition 12, February 2024)

Section 6.1 recognises the importance of protecting the historic environment.

- Paragraph 6.1.7 highlights that *“It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way”*.
- Paragraph 6.1.9 notes that *“Any decisions made through the planning system must fully consider the impact on the historic environment¹⁰³ and on the significance and heritage values of individual historic assets and their contribution to the character of place”*
- In respect to specifically to listed buildings paragraph 6.1.10 emphasises that *‘There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.’*
- Referring to Conservation areas paragraph 6.2.14 states *“There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised”*
- While paragraph 6.1.15 notes that *“There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level. In exceptional cases, the presumption may be overridden in favour of development considered desirable on public interest grounds”*.
- In respect to Historic Parks and Gardens paragraph 6.1.18 notes that *“Planning authorities should value, protect, conserve and enhance the special interest of parks and gardens and their settings included on the register of historic parks and gardens in Wales. The register should be taken into account in planning authority decision making. Green Infrastructure Assessments should be used to explore the role of historic parks and gardens and the findings of other landscape character assessments should be fed into historical and cultural assessments to ensure consistency of information”*.
- Paragraph 6.1.19 goes on to highlight that *“The effect of a proposed development on a registered park or garden, or its setting, is a material consideration in the determination of planning applications”*.

Technical Advice Note 24: The Historic Environment (2017) is also of relevance.

- Paragraph 6.3 states that local planning authorities must give special attention to the desirability of preserving or enhancing conservation areas when taking planning decisions.
- Paragraph 7.2 notes that local planning authorities should protect and conserve parks and gardens, and their settings, included in the register of historic parks and gardens in Wales

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
- SW10 Protecting and Improving Open Spaces
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- CW2 Cyfarthfa Heritage Area
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection

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 primary growth area of the settlement boundary and as such the principle of development is acceptable and accords with Policy SW4 of the LDP, subject to its compliance with other relevant planning policies and material planning considerations.

In this respect it is noted that the property currently operates as a spa and the proposal would result in the expansion of this community facility. As such it is in accord with Policy SW13 of the LDP which seeks to support the enhancement of the county boroughs existing community facilities.

Design and impact on historical assets

The application site is located within the Cyfarthfa Castle Historic Park and Garden which contains a number of listed structures including the Grade I Listed Cyfarthfa Castle. It is also located in the Cyfarthfa Conservation Area and is adjacent to the Cyfarthfa Court residential development within which is the Grade II Listed Gwaelodygarth House. As such the impact of the proposal on the character, setting and the historical and cultural

importance of these historic assets is an important material planning consideration of this application with both local and national policies placing an emphasis on protecting, conserving and enhancing historic assets. This includes consideration on the setting of a historic asset, which might extend beyond its curtilage. At present, the application building is a simple, unassuming structure, of modest scale and with limited features of interest. As such there is scope of the property to be extended but the design and visual impact of this would need to be carefully considered to ensure it represents a subservient addition which does not conflict with the character of the park and garden and the setting of the listed structures. It is also noted that the building is located in a prominent location, adjacent to one of the entrances into Cyfarthfa Park with the proposed extensions being located on the elevation visible when entering the park.

With respect to the proposed extension off the flank elevation and associated canopy, this is considered to be of an inappropriate design which would not appear subservient to the existing property. The unusual footprint, mixture of roof styles and materials and its projection forward of the principal elevation would result in a development that would clash with the modest appearance of the existing building and represent a highly conspicuous addition which would not only conflict with the character of the existing property but impact on the character of the registered park and garden and conservation area. It would appear that in an attempt to conceal the extension a timber screen has been proposed but the modern design of this is inconsistent with the historic character of the park and garden and other enclosures within the immediate vicinity. It also results in an area immediately adjacent to the entrance which would change from being open garden (with low level open, fencing) to an enclosed space which would also impact on the immediate setting when entering the park and the character of these designated assets. The proposal also includes the installation of decking. This is again considered to represent a modern and discordant feature which would be contrary to the historic character of this registered park and garden and conservation area. As such, the development would not be of a sympathetic nor subservient design and would harm the character and setting of the of the registered park and garden, conservation area and associated listed assets. It would therefore be contrary to national policy and Policies SW11 and CW1 of the LDP.

In addition to the above is noted that the proposed development would be erected hard on the boundary wall shared with 8 and 9 Cyfarthfa Court and it would appear that this wall along with the existing boundary fence above and a new section of fencing alongside number 9 Cyfarthfa Court, would form the elevation of the side and rear extensions. It is not considered appropriate for an extension to rely on the fencing to form part of its elevation and as such this is also considered to be an inappropriate design.

Residential amenity

Despite being located within the ground of Cyfarthfa Park, the application site is bound by two dwellings along its north eastern side known as 8 and 9 Cyfarthfa Court. Given that the development is all at ground floor level and reaches a maximum height of 3.6m it would not give rise to any overbearing impact or result in any loss of light or significant overshadowing and similarly, due to their height and the boundary wall and fence between the site and the adjacent properties, the additions would not generate any overlooking concerns or lead to a loss of privacy. In this respect it is recognised that the proposed plans include the replacement of a first floor window to a double glazed unit. This window is located in the north eastern elevation looking towards the adjoining properties in Cyfarthfa Court. However, given that this window is already in place and the replacement would be of a similar size, there would be no increase the views afforded from it.

It is recognised that the covered decking area may result in more users of the outdoor space and an associated increase in noise and disturbance to the neighbouring occupiers. However, given the scale and nature of the business it is not considered that noise levels would be to a level which would be deemed harmful to residential amenity nor would this be during anti-social hours.

Having regard to the above and noting that no representations were received following the publicity exercise the proposal is found to be acceptable in terms of its impact on residential amenity and in this respect would accord with Policy SW11 of the LDP.

Parking and Highway Safety

Whilst the proposal would result in the expansion of the existing spa, it is not considered that it would generate additional traffic that would impinge on the local highway network. It is recognised that the application site does not benefit from any designated parking and none is proposed as part of the development. However, it is currently served by a car park within the ground of Cyfarthfa Castle and it is not considered that the extension would generate additional parking demand in excess of that which is available. It is also noted that the Head of Engineering and Highways has not raised any objection to the proposal in respect to parking or highway safety.

Ecology

The application has been supported by a Green Infrastructure and Drainage Statement. This notes an intention to avoid negatively impacting on green infrastructure but fails to set out the habitat which is currently found at the site or highlight what habitat would be lost by the development. As such there is no baseline with which to assess whether a net benefit for diversity would be achieved from the proposed enhancements (a sedum roof, planting around the building and the provision of bird boxes). From a visit to the application site it would appear that to the south eastern side of the building there is currently an area of maintained grassland with shrubs, hedges and trees. It is not clear the full extent of what would be lost but it would appear that this would include an area of the grassland, shrubs, hedges and some trees along the north eastern boundary. Whilst the sedum roof may provide adequate mitigation for the loss of the grassed area, it has not been demonstrated that suitable compensation has been proposed for the other elements particularly the loss of the trees. It is also noted that there is limited land around the site to allow for compensation planting and as no details of this have been provided it is not clear that a suitable level can be achieved to ensure that there would be a net benefit to biodiversity. As a result of the limited information it has not been demonstrated that the proposal would result in a net benefit to biodiversity and it would not appear that sufficient enhancements have been provided to mitigate for the habitat that would be lost. The proposed development would therefore fail to comply with LDP Policy EnW1 and the requirements of PPW12.

Other considerations

The application site is within an archaeologically sensitive area. However, given the modest scale of the extensions and noting that these would be located on an area of hard surface and maintained grassland it is not considered that there would be significant impact. However, had the application been considered acceptable in other respects, a condition would be recommended to suitably protect any archaeological interest.

Conclusion

In reaching the recommendation, the requirements of section 3 and 5 of the Wellbeing of Future Generations (Wales) Act 2015 have been taken into account. The recommendation is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objective of supporting safe, cohesive and resilient communities.

Accordingly the following recommendation is made:

RECOMMENDATION: BE REFUSED for the following REASONS:

1. The proposed development is of an unacceptable design, which would introduce inappropriate and discordant features, to the detriment of the character and appearance of the Cyfarthfa Castle Historic Park and Garden and the Cyfarthfa Conservation Area. The development is therefore contrary to Planning Policy Wales and Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.
2. The applicant has failed to provide sufficient ecological information to fully consider the potential impacts of the development on features of ecological interest. There is also insufficient information to demonstrate that a net benefit would be provided in respect of biodiversity. The proposed development is therefore contrary to Planning Policy Wales and Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

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DATE: 17.04.2025