

DELEGATED REPORT

Application No:	P/22/0110
Site Address:	Treharris AFC Commercial Terrace Treharris
Development:	Installation of modular changing rooms on existing car park
Case Officer:	Caroline Pulley
Site Visit:	17th May 2022
Application Expiry Date:	4th July 2022
Consultation reply date expired:	7th June 2022

APPLICATION SITE

The application site relates to an area of hardstanding located within Treharris Athletic ground which is located off Commercial Terrace in the Treharris Conservation Area. The hardstanding is located to the north of the existing playing field and approximately 10m to the south and south-west of Glen View Villas, the closest residential properties. The application site itself forms a rectangular area of hard surface situated next to the rear boundary of Treharris Fire Station (to the east). It is set at a lower level to the highway of Commercial Terrace to the north and is bound by an attractive stone wall along its northern roadside boundary. To the south and at a lower level to the hardstanding is the playing field. Vehicular access to the hardstanding can be made from Commercial Terrace through an existing gate opening within the north-eastern corner of the hardstanding.

PROPOSED DEVELOPMENT

This application seeks planning permission for the erection of a changing room building on the site. The proposed building would be located within the north-eastern corner of the hardstanding (adjacent to the stone boundary wall). It would measure 15m in width by 9.5m in depth and 2.8m in height. It would have a light grey external finish with grey external steel doors. The building would provide two changing rooms with associated toilet facilities.

PLANNING HISTORY

There is no recent planning history relating to this site.

CONSULTATION

Head of Engineering: No objection.

Environmental Health Manager: No objection, subject to conditions

PUBLICITY

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

No letters of objection were received following this publicity exercise. However, a letter of representation has been received from South Wales Fire and Rescue Service advising that they do not wish to raise an objection to the proposal but request that whilst building works are being undertaken, access to the neighbouring fire station is not impeded.

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 paragraphs are:

Paragraphs 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.

Paragraph 6.1.14 refers to conservation areas '*...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. Planning authorities should establish their own criteria against which existing and/or new conservation areas and their boundaries should be reviewed...*'

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 5: Nature Conservation and Planning (2009) – This TAN provides guidance on how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation.

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 24 - The Historic Environment

Section 1.14 of TAN 24 refers to conservation principles and ‘... *recognises that the whole of the historic environment is a finite and shared resource. Every place has its own history, which has shaped its character and leaves tangible traces in its present form and fabric. This historic character makes each place unique and gives it a distinctive identity. Historic character should be taken into account in the management of change in order to sustain local distinctiveness and a sense of place. The use of an objective, structured approach*

Local Policy

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

Policy SW4 – Settlement boundaries

Policy SW11 – Sustainable design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy CW1 - Historic Environment

Policy EnW1 – Nature Conservation and Ecosystem Resilience

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

Policy EnW4 – Environmental Protection

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

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

PLANNING CONSIDERATIONS

Principle of the proposed development

The proposed development would be located within the grounds of the existing sports pitch and it is understood that the changing room facility would support the function of the existing sports ground. The site is located within the Secondary Growth Area of the local development plan and is situated within settlement limits. Accordingly, the principle of the proposed development is acceptable subject to an assessment of the material planning considerations set out below.

Impact on the character and appearance of the Treharris Conservation Area

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 type of structures are commonplace. It is also noted that the building would be hidden behind a stone boundary wall and would not form a highly visible addition to the conservation area. As such, in this location and context, the design and appearance of the proposed building would preserve the character and appearance of the conservation area.

Taking the above into account, it is considered that the development would have an acceptable impact on the character of the conservation area and as such, the proposal is in compliance with Policies CW1 and SW11 of the LDP.

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 (behind a stone boundary wall next to the road), 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, 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. While it is acknowledged that the proposed building would result in part of an area, which could facilitate on-site parking, being lost the Council's Head of Engineering has considered the proposal and raised no objections noting that the proposal would not be detrimental to highway safety.

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 bird box is installed. In this instance, given that the proposal would be located on a hardstanding area and would not have a determinantal impact upon protected species, it would not be reasonable to impose a condition to require the installation of a bird box.

Conclusion

Given the above, it is considered that the proposal, based on the details submitted, would comply with policies SW4, CW1 and SW11 of the LDP.

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:

Block plan drawing no. 855.10 received on 09.05.22

Elevations drawing no. 855.02 received on 09.05.22

Proposed floor plan drawing no. 855.01 received on 09.05.22

Site Plan drawing no. 855.03 received on 09.05.22

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

INFORMATIVES

1. 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.
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. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

4. The developer shall obtain all other necessary consents **BEFORE** works commence including BUILDING REGULATION approval.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:



