

DELEGATED REPORT

Application No:

P/19/0309

Site Address:

**Bus Station
Castle Street
Merthyr Tydfil**

Development:

Temporary change of use of the first floor of the building adjacent to and to the east of the bus station to provide a homeless shelter between January 2020 and March 2020

Case Officer:

Caroline Pulley

Site Visit:

4th December 2019

Application Expiry Date:

27th January 2020

Consultation reply date expired:

25th December 2019

APPLICATION SITE

The application site relates to the first floor level of a two-storey building situated to the east of Merthyr Tydfil Central Bus Station. It is a standalone building which is bound by the highway to its side and rear. The surrounding properties to the north, east and south are predominately commercial in nature. The building is occupied on the ground floor by a newsagents and a cafe. The first floor is currently vacant and it is understood to have been previously utilised as a 'Young Persons Information Shop' prior to the building being temporarily used as a homeless shelter during the last three winters.

PROPOSED DEVELOPMENT

Planning permission is sought for a temporary change of use of the first floor of the building to provide a homeless shelter between January 2020 and March 2020. The use would facilitate a night-time shelter which would operate daily between the hours of 6pm and 8am. The layout plan submitted with the application indicates the provision of 10 beds within what is currently an open plan office. It also indicates the provision of a staff office and the use of ancillary rooms for storage purposes. The applicant has confirmed that there are no alterations being proposed to the external fabric or the internal layout of the building.

PLANNING HISTORY

P/16/0346	Temporary change of use of the first floor of the building adjacent to and to the east of the Bus Station to provide a homeless shelter between January 2017 and March 2017	Granted 28.12.2016
P/17/0340	Variation of condition 1 of planning permission P/16/0346 to	Granted 02.01.2018

	allow night shelter to operate between January 2018 and March 2018	
P/18/0378	Temporary change of use of first floor of the building adjacent to and to the east of the bus station to provide a homeless shelter between January 2019 and March 2019	Granted 08.01.2019

CONSULTATION

Engineering and Traffic Manager: No objection.

Natural Resources Wales: Highlights that the application proposes 'highly vulnerable' within Zone C2 of the Development Advice Map contained in TAN 15.

Environmental Health: No objection.

PUBLICITY

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

No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Policy and Guidance

Planning Policy Wales (PPW) – Edition 10, December 2018
Technical Advice Note 15: Development and Flood Risk

Local Policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

Policy BW4 – Settlement boundaries/location constraints
Policy BW7 – Sustainable design and placemaking
Policy BW8 – Development and the Water Environment
Policy AS19 – Merthyr Tydfil Town Centre
Policy AS20 – Retail Allocations

PLANNING CONSIDERATIONS

As noted earlier in the report, temporary planning permission is sought to utilise the first floor of the application building as a homeless shelter between the months of January and March of 2020. Temporary planning permission has previously been approved to utilise the building for this use. This application has come forward so that the building can be used temporarily as a homeless shelter for another year. There have been no material changes in circumstances since the last application was approved and although it is not ideal for a number of temporary permissions to be issued, the provision of a night-time shelter for homeless people during the coldest winter months of the year would represent

an appropriate alternative use of the building which would be compatible with the surrounding land uses. As such, the proposal is considered acceptable and is in line with planning policy which aims to promote the beneficial use of underused or vacant buildings within sustainable locations.

Being located within the middle of the town centre, the proposed use would not unduly compromise the amenities of nearby residents. The application property is situated immediately adjacent to the central bus station where a level of activity is expected during the day and into the early evening. Furthermore, in a town centre location a certain level of noise and disturbance is expected and currently experienced. Having regard to this, the proposed use would not give rise to a significant increased level of noise and disturbance which would be harmful to the existing levels of amenity currently enjoyed by neighbouring occupiers. Furthermore, it is not considered that the use would impinge upon highway safety.

The consequences for the proposed use as a result of flooding have also been considered. In this respect, Natural Resources Wales (NRW) has confirmed that the site is positioned within a C2 flood zone and the application proposes 'highly vulnerable' residential development. National planning policy advice as set out in TAN 15, states that 'highly vulnerable development' (which includes all residential properties) should not be permitted within areas which are at high risk of flooding. In this instance however, the application seeks temporary permission to allow an existing vacant building to be used temporarily as a homeless shelter for three months of the year. Whilst appreciating that the development does have flood risk implications, it does provide much needed accommodation for vulnerable and homeless people during the time of the year when temperatures outside drop to dangerous and unsafe levels. It is also acknowledged that the building is located at first floor level and due to this, it is unlikely to be inundated with water should a flooding event occur. It is fully accepted that new residential development should not be encouraged or accepted in C2 Flood Risk Zones. However, in this case, having regard to the particular nature of the development and the length of time that the use would operate, the flood risk implications are considered to be outweighed by the benefit this development would bring to the homeless community.

Conclusion

The application represents an appropriate temporary change of use of a vacant premise within a town centre location. Furthermore, it is not considered that the use would have a significant impact upon the amenities of neighbouring properties or highway safety. The proposal is therefore considered to be in compliance with local development plan policy.

Finally, 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 use shall be discontinued and the building shall be restored to its former condition on or before the 1st April 2020

Reason - Planning permission is granted for a temporary period only having regard to the particular circumstances of the application.

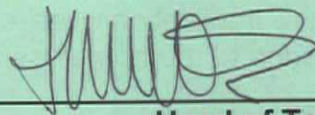
2. The use shall not be carried out outside the hours of 18:00 to 08:00 Monday to Sunday.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

INFORMATIVES

1. The application property is situated within a C2 Flood Risk Zone. The developer's attention is drawn to the comments provided by Natural Resources Wales regarding the flood risks associated with the building.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

7/1/20