

DELEGATED REPORT

Application No:	P/25/0112
Site Address:	17 - 20 Gurnos Workshops Gurnos Community Pen-y-dre Gurnos
Development:	Change of use of community room to a cafe and construction of new access ramp
Case Officer:	Marlene Ferreira
Site Visit:	8th May 2025
Application Expiry Date:	18th June 2025
Consultation reply date expired:	20th May 2025

APPLICATION SITE

The application site relates to a large detached building, known as The Compass Community Hub, located off Pen y Dre Road in the area of the Gurnos. The building is used to provide learning and support for the local community. Specifically, the application site relates to the ground floor of the rear western section of the building only. This part of the centre, as well as the remaining building, is served by on-site parking provision by means of a shared parking area to the west and north of the building.

PROPOSED DEVELOPMENT

This application seeks planning permission to change the use of this section of the building from a community room (D1 use class) into a café (A3 use class). A ramp with a handrail is also proposed to its southern rear elevation.

This part of the building is currently used as a community room and it is served by a small kitchen, a vacant room, a WC and store area. Under this application, the proposal seeks to provide a café dining area with seating/quiet area within the community room, a larger kitchen area which would be made up of the existing kitchen and the vacant room, a larger WC area and a storage area. The changes to the internal layout does not include any new window openings or entrances.

Externally, the proposed change of use would include a new ramp with a handrail to provide a direct level access into the proposed café/dining area. This ramp would measure 1.5m by 3.6m and would be enclosed with a 1m steel handrail.

The café, which would operate within the hub's current opening times (from Monday to Friday 9:00 until 20:00) would employ 2 part time members of staff.

PLANNING HISTORY

The following planning history is relevant to this site:

- P/98/0145 – Retaining wall construction into grass bank – Approved: 29th May 1998
- P/97/0001 – Change of use from residential units to training/workshop facility – Approved: 27th March 1997

CONSULTATION

Head of Engineering and Highways	No objection.
Planning Policy Officer	No objection.
Environmental Health Manager	No objection.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

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

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

National Planning Policy

- Planning Policy Wales (edition 12, February 2024)

Paragraph 3.3 refers to good design and states that '*...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...*'

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and states that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraph 6.4.3 discusses biodiversity and states that *‘...the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...’*

- Technical Advice Notes (TANs)

TAN 5 – Nature and Conservation Planning (2009)

This TAN provides advice on development affecting designated sites and habitats, in addition to protected or priority habitats and species. Section 6.2.2 states that *‘...It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It is considered best practice that such a survey is carried out before planning application is submitted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of them being present...’*

Local Planning Policies

The Merthyr Tydfil Replacement Local Development Plan 2016-2031

Policy SW4 – Settlement Boundaries

Policy SW11 – Sustainable Design and Placemaking

Policy SW13 – Protecting and Improving Local Community Facilities

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW4 – Environmental Protection

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to whether the proposed development would be acceptable, in principle in this location, and whether it would be acceptable with regards to its impact upon the character and appearance of the

premises and the wider area. The impact upon residential amenity, ecology and highway safety are also important considerations.

Principle of Development

The premises lies in the settlement boundary – Primary Growth Area. Development in this location is supported by LDP Policy SW4 provided it complies with all relevant LDP policies and other material considerations.

This part of the premises, currently used as community room, is recognised as a community facility. As such, LDP Policy SW13 is a relevant policy consideration. LDP Policy SW13 states that *‘the provision of new and enhanced community facilities will be supported subject to satisfying other relevant LDP policies. The Council will protect and support the enhancement of the County Borough’s existing community facilities. Development proposals that would result in a loss of an existing community facility will only be permitted where alternative provision of at least equivalent value to the local community can be provided nearby, or it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or it can be demonstrated there is no longer a viable community use for the facility’.*

This proposal would result in the loss of a community room and would therefore evidently result in the loss of a community facility. However, the proposal to provide a café within this part of the building to replace the community room, would provide a new community facility, of a different nature. Furthermore, with the addition of an external access ramp into the café area, which would improve and provide inclusive access for all, would further enhance the community facility. The proposed development would therefore accord with the criteria set out under LDP Policy SW13.

Character and Appearance

The proposed development, as explained earlier, relates to a change of use to the ground floor of the rear western section of the building only. This involves changes to the internal layout only, without any new openings for windows or doors. Whilst it is noted that a new ramp will be provided to the southern rear elevation, this would be laid at a gradient of 1:20 and would therefore not be very steep. Furthermore, although the ramp would be enclosed by a handrail, this would not exceed 1m in height, and this part of the proposal would therefore not require planning permission. As such, the proposed development, which mainly relates to internal changes only, would not be considered to have any adverse impact on the character or appearance of the building or the wider area, and would therefore accord with LDP Policy SW11.

Residential Amenity

The impact of this proposal has been considered with regards to nearby occupiers.

In this instance, having taken account of the use, nature and operating times of the existing community hub, the proposed café use and its hours of operation, including its distance from existing residential properties/occupiers, the proposed development would not be considered to give rise to any significant adverse impacts, such as noise, smells, or other nuisances etc and would therefore not be deemed significantly harmful to nearby occupiers. Indeed, the community hub already operates within these times and is already served by a community room with kitchen. The proposed café would therefore continue to

serve the visitors to the community hub. It should also be noted that no objections have been raised from the Environmental Health Manager in this respect. Likewise, no representations or concerns have been received from nearby residents in respect of this use. The proposal would therefore comply with LDP Policies SW11 and EnW4.

Ecology

The proposed development has been considered by the Council's Ecologist, and given the nature of the works proposed, which primarily includes internal alterations, the Council's Ecologist has not requested any survey work. Whilst it has been advised that ecological enhancements be provided, it is considered, given the small scale nature of the proposal and the limited external works involved, a condition to secure such benefits is not proportionate in this instance.

It is also noted, under chapter 6 of Planning Policy Wales (edition 12) that applications should be supported by Green Infrastructure Statements (GIS). However, due to the nature of the development proposed, whereby no external alterations are proposed (other than a low ramp), the submission of a GIS would be deemed disproportionate and unreasonable. Thus, the proposed development would therefore be considered acceptable and accord with LDP Policy EnW1.

Parking and Highway Safety

The existing community hub, as noted earlier, is served by on-site parking by means of a parking area to the front and side of the building. This existing parking area would also cater for customers/staff who visit and/or work at the café, as well as any deliveries to the premises. The Head of Engineering and Highways has considered the proposed development and its on-site parking and access arrangements and has not raised any concerns or objections. The development would therefore not be deemed detrimental to highway or pedestrian safety or the free flow of traffic and would accord with LDP Policy SW11.

CONCLUSION

The development, due to the reasons discussed above, is therefore considered acceptable and would comply with the relevant policies and guidance.

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:

- Proposed Plans and Elevations: Drawing Number 2272-61A, received: 23rd April 2025.

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

3. The cafe use as shown on 'Proposed Plans and Elevations, Drawing Number 2272-61A' (received 24th April 2025) hereby approved, shall only be used as a cafe only and for no other purpose in Class A3 of the schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended), nor in any provision equivalent to the Class in any statutory instrument revoking and re-enacting the Order.

Reason - To clearly define the scope of this permission, in the interest of residential amenity and highway safety in accordance with policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. 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.

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: 09.06.2025