

DELEGATED REPORT

Application No:	P/24/0199
Site Address:	Former Bontnewydd Hall Bontnewydd Terrace Trelewis CF46 6AB
Development:	Proposed change of use from community hall (D2 Use Class) to a residential bungalow
Case Officer:	Kate Glover
Site Visit:	27th August 2024
Application Expiry Date:	16th October 2024
Consultation reply date expired:	17th September 2024

APPLICATION SITE

The application site comprises a single storey, detached building constructed of red brick elevations and a tiled roof located on Bontnewydd Terrace, Trelewis. The building is located between 2 garages with the garage to the south-east positioned in front of part of the building. The building benefits from 2 small areas of outdoor space, the smaller of the two located to the rear of the building, the larger is located to the side of the building, to the rear of the neighbouring garages that front Bontnewydd Terrace.

The application site is within the settlement boundary as identified by Local Development Plan (LDP) Policy SW4 and its associated proposals map and is within a residential area.

PROPOSED DEVELOPMENT

This application seeks full permission to convert the community building into a dwelling. The building has most recently been used as a community building leased by The Trustees of Trelewis OAP Hall providing a community facility for elderly members of the community. However, the use has ceased due to a number of factors including declining attendance and the required maintenance of the building.

To facilitate the change of use some external alterations are proposed including a new slate effect roof, cladding of the rear sections of the building's elevations with hanging tiles, new fascia's/soffits, rainwater goods, windows and the addition of bat tiles and bird/bat boxes.

PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

CONSULTATION

Head of Engineering and Highways:	No objection
Head of Estates:	No objection received
Planning Policy Officer:	No objection
Planning Ecology Officer:	No objection subject to conditions.
The Coal Authority:	No objection.
Bedlinog and Trelewis Community Council:	No objection

PUBLICITY

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

No letters of objection were received following this publicity exercise. However one letter commenting on the proposal was received.

The main material points of the letters received have been summarised below

- The change of use will represent loss of another community building.
- The hall is fit for purposes as a community building
- Public transport does not serve the community so there are no nearby community buildings.
- The restoration of historic signage is welcome.
- The biodiversity enhancement is welcome.
- As the site is close to Trelewis Primary school, the area experiences high levels of traffic. The timing of the conversion works should be controlled.
- The application form advises that parking is not a consideration. However, it is and there should be two electric chargers provided on site.
- The site is identified as Low Risk on The Coal Authority's map. Notes the building survey of the application site identifies cracking on the building and that it could be because of subsidence. The writer notes a survey carried out for their property indicated the area as Coal Claim registered. This is indicative of subsidence risk on the plot and the conversion and use of heavy machinery could put the building and nearby properties at risk.

Other matters

- The council is seeking to sell the building.
- The applicant will benefit from the conversion and should be subject to a legal agreement to stop any sale with commercial gain.

The letter concludes by stating:

"In conclusion, while it is a shame to see the use case change for the Hall, any use is better than no use. The fact that it would provide single-storey accessible housing for residents with additional needs is considerably better than selling it off for immediate private gain. In a street largely dominated by residential properties, the change of use to

residential usage is logical. Once considerations are made to mitigate the significant risks of subsidence on neighbouring and adjacent properties, minimise the impact of additional on-street parking, and with the Council taking every available opportunity to benefit local residents in other ways to compensate for the loss of another social space, I believe the change of use will have a negligible impact.”

Matters of impact on residential amenities, parking and highway safety, and land stability are addressed below. The above points listed under ‘other matters’ are not material planning considerations in relation to this proposal.

Due to the nature of the comments received this application has not been referred to the local Ward Councillors to inform them of the responses received in relation to this application.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) (Future Wales) 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) (PPW12).

Planning Policy Guidance Note 14: Development on Unstable Land (PPG14)

Local Planning Policies

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

- SW1 Provision of New Homes
- SW2 Provision of Affordable Housing
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW13: Protecting and Improving Local Community Facilities
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species

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

- Note 1, Affordable Housing
- Note 2, Planning Obligations
- Note 4, Sustainable Design
- Note 5, Nature and Development

- Note 6, A Design Guide for Householder Development

PLANNING CONSIDERATIONS

The issues to consider under the assessment of this application relate to the principle of development, loss of a community facility, residential amenity, visual amenity, parking/highway safety, ecology, land stability and planning obligations.

Principle of Development

The site is within the settlement boundary and within a secondary growth area, therefore, no concern or objection is raised to the principle of the creation of an additional residential property within this area. Additionally, the site is located in a residential area therefore no concern is raised relating to the compatibility of the use within the context of the site. No conflict has been identified with Policies SW1, SW3 or SW4 of the Replacement Merthyr Tydfil Local Development Plan.

Loss of a Community Facility

As the proposed development would result in the loss of a community facility LDP Policy SW13 is applicable in the assessment of this enquiry. In order to satisfy the requirements of the Policy the proposal would need to demonstrate that;

- 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.

Given that the proposal would result in the loss of a community facility (a former community hall), it would not be in accordance with Policy SW13. However, information submitted with the planning application, indicates that the property has been vacant for at least 12 months, with many of the former users now utilising Bedlinog Community Centre. It is also noted that there is an alternative community at Nant Gwyn, Trelewis, as well as well as centres nearby in Treharris and Quakers Yard.

The proposal meets the requirements of LDP Policy SW13.

Residential Amenity

The proposal would utilise an existing building with no extension/external alterations proposed therefore the physical impact of the building would not result in any materially different impact upon the living conditions of the neighbouring occupiers. In respect of the use of the building this would result in a different impact, however the scale of the building is limited and therefore would restrict the number of occupiers which in turn would limit the extent of the intensity of the use.

The proposal would include the provision of two bathrooms. It is reasonable that the windows are obscurely glazed and any mechanism to open the window is restricted by height. A condition can be used to secure this measure.

The creation of a single, small scale residential unit is not considered to result in any unacceptable adverse impact upon the living conditions of neighbouring occupiers.

The proposal meets the requirements of LDP Policy SW11.

Visual Amenity

The external alterations are considered to be minor and would not result in any unacceptable adverse visual impact that would be harmful to the character of the area. The new roof would be finished in slate effect tiles which is considered to be acceptable within the context of the site. The proposed hanging tiles would be on elevations not readily visible from outside the site and therefore would have a limited impact upon the amenity/character of the area. The other external alterations to the building are considered to be acceptable avoiding any adverse impact upon the amenity/character of the building or wider area. The proposed close board fencing/boundary treatment is considered to be acceptable as this is typical for residential dwellings and due to its positioning to the rear of existing garages would not be readily visible within the public realm.

The proposal meets the requirements of LDP Policy SW11.

Parking/Highway Safety

The proposal does not include any off street parking provision and due to the constraints of the site does not provide any opportunity for parking to be provided on site, this is an under-provision when applying the CSS Wales Parking Standards 2008 as adopted by the Council. However, the existing use as a community facility would require 7 spaces to comply with the adopted standards, whereas the proposed use would only require 2 spaces to comply. Therefore the proposed development would result in a lesser shortfall in the parking provision and therefore the Head of Highways and Engineering has not raised any objection to the proposal in relation to parking.

The proposal meets the requirements of LDP Policy SW11.

Ecology

In respect of ecology, the Council's Ecologist notes that the property has not been identified as a bat roost. However, the property does include moderate bat roosting features, for example bargeboards. Following the advice of the Ecologist, The Bat Survey was updated to state that works to convert the property would take place outside of the bat roosting season. To secure this measure, The Bat Survey can be listed in plans and drawings condition.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, ecological enhancements have been incorporated in to the proposal and can be controlled by condition. As such, the proposal contributes to the wider green infrastructure objectives.

The proposal meets with the requirements of LDP Policy EnW1.

Land Stability

The site is located on land identified as a Low Risk Area on The Coal Authority map. The Coal Authority were consulted and made no objection or request for further information.

The proposal meets with the requirements of PPG14.

Planning obligations

The proposal is put forward by Merthyr Valley Homes to provide one affordable housing unit that would be fully adaptable and allow accommodation for a disabled person. As the unit would be affordable the proposal supports the aims of LDP Policy SW2 and no conflict with this policy has been identified. As the proposal relates to a single affordable housing unit no planning obligations would be sought, Community Infrastructure Levy (CIL) is not chargeable in this part of the County Borough.

The proposal meets with the requirements of SW9.

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.

Having regard to the policy context above, the proposal is considered to be acceptable and 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 document:

Drawing Title: Proposed Layout and Landscaping, Drawing Number LT2204.04.01 Rev B, Received on 19 August 2024.

Drawing Title: Proposed Floor Plan, Drawing Number LT2204.04.03 Rev B, Received on 19 August 2024.

Drawing Title: Proposed Elevations, Drawing Number LT2204.04.04 Rev B, Received on 17 September 2024.

Bat Survey: Bontnewydd Hall, Bontnewydd Terrace, Trelewis, CF46 6AF, Version V2.0, Received on 17 September 2024.

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

3. **Prior to the installation of any external lighting**, a lighting scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme of lighting shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason – In the interest of maintaining and enhancing biodiversity and to accord with Planning Policy Wales and Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

4. **BEFORE the beneficial use of the development hereby approved**, the windows serving the bathrooms in the northeast and southwest elevations shall be fitted with obscured glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

Reason - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **BEFORE the beneficial use of the development hereby approved** the scheme of biodiversity enhancement shown on Drawing Title: Proposed Elevations, Drawing Number LT2204.04.04 Rev B, Received on 17 September 2024, shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - Future Wales and Planning Policy Wales (Edition 12, February 2024) requires all development to maintain and enhance biodiversity and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

INFORMATIVES

1. 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.

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.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 14.10.2024