

DELEGATED REPORT

Application No:	P/23/0080
Site Address:	Treharris Rugby Club Perrott Street Treharris CF46 5ET
Development:	Conversion of rugby social club to provide 15 No. flats
Case Officer:	Adam Foote
Application Expiry Date:	18th May 2023
Consultation reply date expired:	24th April 2023

APPLICATION SITE

The application site is located at the edge of the settlement to the rear/east of the buildings on Perrot Street. The building is located within the settlement boundary (Policy SW4) and within the designated local centre boundary (Policy ECW5) as identified by the proposals map of the Merthyr Tydfil Local Development Plan (LDP). The site is within close proximity to the commercial offerings of the Local Centre and falls within the boundary of the Treharris Conservation Area.

Access to the site is gained via the existing access point comprising of an existing break in the built form along Perrot Street with the topography reducing to the east resulting in the site being located at a lower level than the buildings of Perrot Street.

PROPOSED DEVELOPMENT

This application seeks a change of use of the land to residential and for the conversion of the building into 15 (1 bedroom) self-contained flats. The proposal includes the provision of a garden area, bicycle storage for 6 cycles and provision of a bin store. Overall, the external alterations as proposed to the building are limited and the built form would have a similar visual impact to that of the existing building. The application site is a confirmed bat roost, accordingly the proposal includes biodiversity/ecological enhancements in the form of bird and bat boxes on the exterior of the building (location as shown on proposed plans 22/905/16 REV B and 22/905/19 REV B).

PLANNING HISTORY

None

CONSULTATION

Planning Policy Officer	-	No objection
Environmental Health Manager	-	No objection subject to conditions
Planning Ecology Officer	-	No objection
Head of Engineering and Highways	-	No objection
Dwr Cymru Welsh Water	-	No objection subject to conditions

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, this application was advertised by means of an article 12 site notices displayed within the vicinity of the site and via direct neighbour notification.

Two representations have been received objecting to the proposed development. The main points of concern raised have been summarised as; Highways safety/parking provision and loss of a view.

As such this application has been referred to the local Elected Members, no further objection or representation has been received from the Elected Members nor has any request been received for the application to be reported to Planning Committee.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040
Planning Policy Wales (PPW) Edition 11 (February 2021)
Technical advice note (TAN) 2: planning and affordable housing
Technical advice note (TAN) 5: nature conservation and planning
Technical advice note (TAN) 12: design
Technical advice note (TAN) 18: transport
Technical advice note (TAN) 24: the historic environment

Local Policy

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

Policy SW1 – Provision of New Homes
Policy SW2 – Provision of Affordable Housing
Policy SW3 – Sustainably Distributing New Homes
Policy SW4 – Settlement boundaries
Policy SW5 – Affordable Housing Exception Sites
Policy SW9 – Planning Obligations
Policy SW11 – Sustainable design and Placemaking
Policy CW1 - Historic Environment
Policy EnW1 – Nature Conservation and Ecosystem Resilience
Policy EnW4 – Environmental Protection
Policy EnW5 – Landscape Protection
Policy EcW5 – Town and Local Centre Development

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

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are; The principle of the development, sustainability/sustainable development, Highways/Highway Safety, Ecology/Biodiversity, Visual Impact, Residential Amenity.

Principle of the development

Planning Policy Wales, currently in its 11th edition and Future Wales: The National Plan, sets the policy framework for Planning in Wales and both place significant weight upon sustainability and sustainable developments within appropriate locations. The application site is located within the settlement boundary where there is a presumption in favour of development and the efficient use of land is encouraged. Merthyr Tydfil is identified as a Growth Zone by Policy 1 of Future Wales (Where will Wales Grow) therefore establishing a general presumption for development of this nature. The building is proposed to be brought into residential use comprising of 15 flats on previously developed land as defined by Planning Policy Wales 11. PPW11 states, *"Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome"*.

Future Wales sets out that the regeneration initiatives for existing settlements should promote a mixed-use, high-density approach for urban centres that offer residential accommodation at a walkable distance from local amenities with easy access to public modes of transport. A Town Centre First approach is set out by Policy 6 of Future Wales, which clearly identifies Town Centres as more than the extent of designated retail areas and states they should be the focus of growth and regeneration, promoting residential development within and adjoining town centre boundaries. In this case the application site is located within the defined local centre boundary and would afford future occupiers easy access to the commercial offerings and access to public modes of transport. The additional residential use of the site is considered to support the viability of the local centre and accord with the aims/objectives as set by National Planning Policy.

Future Wales identifies appropriate densities for new residential developments (Policy 2) stating; *"To support the economic and social success of our towns and cities, including sustaining public transport and facilities, urban growth and regeneration should increase the population density of our towns and cities. New developments in urban areas should aim to have a density of at least 50 dwellings per hectare (net), with higher densities in more central and accessible locations"*. This site is approx. 0.10 of a hectare therefore the proposed reuse of the building to provide 15 flats is considered to accord with the densities as supported by Future Wales in sustainable locations.

In respect of Local Planning Policy the site falls within an "other growth area" as identified by the LPD with policies SW1 and SW3 providing a basis of support for residential developments in such locations. SW2 relates to affordable housing provision within the borough, in this case no planning obligations for the provision of affordable housing or any other contributions would be sought as this would likely render the development financially unviable. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit. CIL would not be liable in this part of the County Borough.

It is considered that the proposed development for the change of use of the building to residential providing 15 one bedroom flats accord with both local and national planning policies and is an appropriate use within the context of the site. The proposal is considered to be acceptable in principle.

Sustainability/sustainable development

The application site is within the settlement boundary and within a growth area as identified by both local and national planning policy. Additionally, the site is within close proximity of local amenities and the designated local centre with future occupiers having easy access via sustainable modes of transport. Such a development within close proximity to the local centre is considered to comply with the aims and objectives of local and national planning policy in this respect.

The site is within close proximity to a bus route and is approx. a 1 mile (20 minute) walk from Quakers Yard train station. Future occupiers would be well served by access and availability to the public transport offering in the area.

No concern is raised in respect of sustainability in respect of the proposed development.

Highways/Highway Safety

The proposed development would utilise the existing vehicular access point, no alterations are proposed to the access and given the existing built form no alterations would be possible. As there is no vehicular parking proposed it is considered that any vehicular use of the access would be limited. The proposal includes a turning area which would allow vehicles to enter and exit the site in a forward gear and a passing area is proposed which would reduce the chances of conflict should vehicles meet. Having regard to the previous use of the land and the traffic generated by it no objection is raised in this respect.

To accord with the adopted parking standards 18 spaces would be required (15 for the residential units and 3 visitor). No parking provision is proposed as part of this application and there is no scope to provide the level of parking provision to accord with the standards. In respect of the use as a rugby club 35 spaces would have been required to accord with the adopted standards, therefore, the proposed use has a lesser shortfall than the previous use and the impact is therefore considered to be lesser in this respect.

It is noted that the adopted parking standards are guidance only, were adopted in 2008 and have therefore been superseded by both PPW11 and Future Wales, both of which advocate for lower levels of car parking or car-free developments in suitable locations (see excerpts below). In this instance, given the highly sustainable location of the application site in conjunction with the proximity to public modes of transport and distance to public car parks in the area it is considered that a car free development accords with the principles as set by national planning policy.

PPW11

4.1.50 "Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed".

4.1.52 "Parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places".

Future Wales

Policy 12 page 83 "Planning authorities must act to reduce levels of car parking in urban areas, including supporting car free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time".

Policy 12 Page 86 "Planning authorities should also challenge perceptions that housing needs to be built with parking on plots, which promotes car-dominated developments, and promote different ways of dealing with cars that encourage a reduction in car use and increase active travel and use of public transport".

Policy 12 Page 87 "Whilst we do not know what the future holds, the location and design of car parking should enable conversion to other uses over time".

The proposed development has been considered by the Head of Engineering and Highways who raises no concern or objection in respect of highway safety, access/egress of the site, vehicular circulation or parking provision.

Ecology/Biodiversity

The building is a confirmed bat roost, accordingly the scheme must be assessed against the derogation tests as set out by the Habitats Regulations. The tests are;

1. There are no feasible alternative solutions that would be less damaging or avoid damage to the site.

In this instance the proposal seeks the reuse of an existing building for residential purposes, the use of the building accords with the Planning Policy requirements of both Local and National Plans. It is considered that the use therefore could not be provided in a different location, use different entry/access points or be provided at a different scale/siting. It is not considered that there are any feasible alternative solutions therefore it is considered that test 1 is met.

2. The proposal needs to be carried out for imperative reasons of overriding public interest.

The proposed development would provide much needed housing in an area where development has been limited. The building is existing and therefore would not result in any additional take of green field land and the proposal would result in a building which is falling into disrepair being improved. It is therefore considered that test 2 has been met.

3. The necessary compensatory measures can be secured.

The compensatory measures has been considered by the Council's Ecologist and deemed to be acceptable to support the development. Test 3 is considered to be met.

In addition to the compensation for the bat roost biodiversity enhancements have been proposed. The enhancements have been assessed by the Council's Ecologist and are considered acceptable to support the scheme on the basis of the extent of development proposed.

A lighting scheme has been submitted to ensure there is no unacceptable adverse impact upon European Protected Species and to control light spill. This has been deemed acceptable by the Council's Ecologist.

The implementation and retention of the biodiversity enhancements and lighting strategy will be controlled via an appropriately worded condition.

Visual Impact/Impact upon the character of the area

The proposed development includes minor alterations to the exterior of the existing building therefore any impact is considered to be limited and no visual harm or adverse impact to the character of the area from the proposed development has been identified. Given the limited amount of external alterations the proposed development is considered to be acceptable in this respect and to accord with the requirements of Policy SW11 of the LDP.

Residential Amenity

The physical alterations to the application site are considered to be minor and would therefore have a limited impact upon the living conditions of neighbouring occupiers relative to that caused by the existing building. The proposed use of the building for residential purposes has been considered and is deemed to be acceptable as has the parking/traffic impact/generation to and from the site. Overall, it has not been possible to identify any unacceptable level of harm arising from the proposed development upon the living conditions of neighbouring occupiers.

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. 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:

22/905/19. Revision B,

22/905/18. Revision B,

22/905/16. Revision B,

22/905/13. Revision A,

22/905/12. Revision A,

22/905/15

Bat Survey Report (Acer Ecology),

Preliminary Ecological Appraisal and Preliminary Roost Assessment (ARBTECH)

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

3. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment to accord with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

4. Prior to the installation of any external lighting a detailed lighting scheme for the site shall be submitted to and agreed in writing by the local planning authority. The scheme must demonstrate that the colour temperature of the luminaires as 2700K or less. The scheme shall be implemented in accordance with the approved details and retained in perpetuity.

Reason - To ensure there is no adverse impact upon European Protected Species in accordance with Policy EnW2 of the Merthyr Tydfil Replacement Local Development Plan.

5. No development shall take place until the biodiversity enhancements as shown on the approved plans 22/905/19. Revision B, 22/905/18. Revision B, 22/905/16. Revision B, 22/905/13. Revision A, 22/905/12. Revision A, 22/905/15. Revision A have been implemented. The enhancements shall then be maintained as such in perpetuity.

Reason - In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9 and to accord with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

6. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - In the interests of local amenity and to avoid statutory nuisance in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

7. The development hereby approved shall not come into beneficial occupation until the cycle parking as shown on approved plan 22/905/03 has been completed and shall remain available for such purposes at all time thereafter.

Reason - To ensure there is cycle parking provision provided on site to accord with Policy SW12 of the Merthyr Tydfil Replacement Local Development Plan.

8. The development hereby approved shall not come into beneficial occupation until the bin storage facilities as shown on approved plan 22/905/03 has been completed and shall remain available for such purposes at all time thereafter.

Reason - To ensure there is adequate bin storage facilities provided on site to accord with Policy SW11 of the Merthyr Tydfil Replacement Local Development Plan.

RECOMMENDATION ENDORSED


PP Director of Neighbourhood Services

DATE: 18.01.2024