

DELEGATED REPORT

Application No: P/21/0387

Site Address: Unit 6-7
Cyfarthfa Industrial Estate
Merthyr Tydfil
CF47 8PE

Development: Change of use of building to a gymnastics facility

Case Officer: Caroline Pulley

Site Visit: 18th November 2021

Application Expiry Date: 6th January 2022

Consultation reply date expired: 9th December 2021

APPLICATION SITE

The application site comprises units 6 and 7, Cyfarthfa Industrial Estate, Merthyr Tydfil. The premise forms a detached unit within the south-western corner of the estate. It is currently occupied by a graphic design company and is served by dedicated parking bays located within the hardstanding area to the front of the building. Neighbouring units are predominately industrial in character and include a car repair garage, an ambulance station and what appears to be a coffee machine manufacturer. There is also a Trampoline centre operating from units 3 and 4, which is located approximately 60m to the north-east of the site.

PROPOSED DEVELOPMENT

Planning permission is sought for the change of use of the building to a gymnastics facility falling within use class D2 (Assembly and Leisure). The proposed use includes two open plan gymnastics areas, a reception area, toilet facilities and first floor offices. No external alterations are proposed as part of this application. The proposal includes provision for sixteen off-road parking spaces within the hardstanding area to the front of the building.

PLANNING HISTORY

There is no recent planning history relating to the site.

CONSULTATION

Head of Engineering: No objection.

Planning Division's Policy Officer: No objection.

planning authorities should only consider the release of existing employment sites where it can be demonstrated that there is no longer a need/demand for the industrial use.

Paragraph 4.6.9 advises local planning authorities that existing employment sites should only be released to other uses if:

- *'they have poor prospects of being re-occupied for their previous use;*
- *the particular market that the site is part of is oversupplied;*
- *the existing employment use has unacceptable adverse impacts on amenity or the environment;*
- *the proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;*
- *other priorities, such as housing need, override more narrowly focussed economic considerations; and/or*
- *land of equal or better quality is made available elsewhere, even if this is not within the local planning authority boundary.'*

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 CW1 - Historic Environment

Policy CW2 – Cyfarthfa Heritage Area

Policy EnW1 – Nature Conservation and Ecosystem Resilience

Policy EnW2 – Internationally and Nationally Protected Sites and Species

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

Policy EnW4 – Environmental Protection

Policy EcW2 – Protecting Employment Sites

Policy EcW7 – Tourism, Leisure and Recreation Development

PLANNING CONSIDERATIONS

The main consideration in the determination of this application relates to whether the principle of the change of use in this location is acceptable, having regard to the effect of the proposal on the supply of employment floor space in the area. Also to be considered are the impacts of the scheme to amenity of any residential properties who may adjoin the site and highway safety. These matters are discussed in detail below:

Principle of the change of use

The application lies within the settlement boundary, where development is generally supported in principle by Policy SW4 of the LDP. However, Cyfarthfa Industrial Estate is a protected employment site and under Policy EcW2 development will only be permitted at this site if:

- it is within use classes B1(b), B1(c), B2 or B8; or
- it provides an ancillary facility or service that supports the primary employment use, or

considered the scheme and not raised any highway objections to the application. Therefore, the application is acceptable from a highway safety perspective.

Flood Risk

Comments received from Natural Resources Wales confirm that the application site lies entirely within a C2 Flood Risk Zone. However, given the nature of the proposed development (retention of less vulnerable development) and in the absence of a flood consequence assessment (FCA), they consider the proposal acceptable. As such, the development is acceptable in terms of its impact on flood risk.

Conclusion

For the above reasons, the proposal, by virtue of its location within a protected employment site would result in an unacceptable loss of valuable employment space. As such, the development fails to accord with Policy EcW2 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

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 Drawing 01

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

3. The premises/land shall be used as a gymnastics facility only and for no other purpose (including any other purpose in class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).