

DELEGATED REPORT

Application No:	P/26/0181
Site Address:	Jah Jireh Care Home Heads Of The Valleys Road Merthyr Tydfil CF44 0LX
Development:	Variation of condition 4 of planning permission P/25/0196 to indicate the maximum number of bed spaces accommodated within the care home shall not exceed 56
Case Officer:	Kate Glover
Site Visit:	20th August 2026
Application Expiry Date:	8th October 2026
Consultation reply date expired:	10th September 2026

APPLICATION SITE

The application site relates to an existing 50-bedroom care home provided within a large, modern building. The care home is situated within a larger area of land that includes extensive parking areas, some open space, and amenity grass to the west and around the building, as well as trees and shrubs along the southern, eastern, and northeastern boundaries of the site.

The site lies close to the boundary of Rhondda Cynon Taff County Borough Council (RCT) and accessed via RCT's road network which itself is only accessible via the A465 (trunk road). The distance of the site from the A465, in terms of the highway network, located approximately 740m from the site. The site is also outside the settlement boundary as designated within the Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031.

PROPOSED DEVELOPMENT

The application seeks planning permission to increase the maximum number of bed spaces permitted within the care home from 55 to 56. The applicant has suggested that the condition would state: "*The maximum number of bed spaces accommodated within the care home shall not exceed 56*"

The site benefits from a lengthy planning history relating to the provision of residential care accommodation. In relation to the existing building, planning permission P/06/0143 approved an extension to the care home, and permitting in a 50-bedroom facility. At that time, Condition 1 was imposed to restrict occupancy to a maximum of 50 bed spaces due

to the proximity of a natural gas storage facility located within the Rhondda Cynon Taf County Borough area.

Subsequently to the granting of P/06/0143, correspondence submitted by the applicant's agents dated 2008 identified that the approved plans incorporated 51 bedspaces. Officer correspondence at the time indicated that the increase represented a minor discrepancy. However, no formal application was submitted to regularise the position.

More recently, planning permission P/25/0196 approved the conversion of existing internal space to provide five additional bedrooms. Whilst the former gas storage facility has since been removed, Condition 4 of permission P/25/0196 restricts the number of bed spaces within the care home to a maximum of 55 at any one time. The reason for the condition was to enable the Local Planning Authority to consider any future intensification of use due to the site's countryside location.

It is noted that the planning application form states that P/25/0196 was implemented on the 9 March 2026.

The current application has been submitted to regularise the long-standing discrepancy between the approved accommodation layout and the occupancy restriction, and seeks consent for the retention of one additional bed space, increasing the maximum permitted bed spaces for care residents from 55 to 56.

PLANNING HISTORY

The relevant planning history relating to the existing care home facility is summarised below:

P/25/0196 Conversion of existing internal space to provide five new accommodation units within the existing building
Approved: 05 Dec 2025

Condition 4 states:

The maximum number of bed spaces accommodated within the care home shall not exceed 55 at any one time without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to consider any future intensification of use in this countryside location, in accordance with Policy SW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).

P/06/0143 To provide a 2 storey wing as additional bedroom accommodation to the main building, alterations to the existing building to provide a total of 50 bedrooms care facility for the elderly
Approved: 28 Apr 2006

Condition 1 states:

Notwithstanding the provisions of the 1995 Town and Country (General Permitted Development) Order (or any order revoking and re-enacting that Order) the maximum occupancy of residential care patrons within this extension and the main building shall not

exceed 50 bed state spaces without the prior written approval of the Local Planning Authority.

Reason: In order that the Local Planning Authority can have further regard (with relevant advice from the Health and Safety Executive) to the number numbers of potentially less able bodied residents in occupancy at the facility with reference to the potential risk of the neighbouring gas storage facility.

P/06/0060 Change of use of hotel (C1) to residential care home (C2)
Approved: 28 Apr 2006

The relevant planning history relating to the wider site is summarised below:

P/15/0105	Variation of a condition attached to planning permission P/09/0244 (for the erection of a two storey building providing 17 No. two bedroom sheltered accommodation flats) to allow a further 5 years in which to commence development Approved: 26 May 2015
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P/09/0244	Erection of two storey building providing 17 two bedroom sheltered accommodation flats Approved: 02 Aug 2010
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P/06/0144 To provide a block of sheltered accommodation
Outline Approval 28 Apr 2006

CONSULTATION

Planning Policy Officer: No objections

Head of Engineering and Highways: No objections

Environmental Health Manager: No objections

Department for Economy and Infrastructure – Transport: No objections

Rhondda Cynon Taff County Borough Council
Head of Engineering and Highways: No objections

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.

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) (PPW).

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:

- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12: Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW4 Environmental Protection

PLANNING CONSIDERATIONS

This development has already been considered and found to be acceptable under the original planning application (Planning Ref: P/25/0196). This application seeks permission to vary condition 4 on the subsequent planning permission. The implications of this on the relevant policies and material planning considerations must therefore be re-assessed to ensure that the development would still be acceptable with the proposed increase in bedrooms.

The relevant considerations is the principal of increasing the number of bedrooms by 1 due to the property's countryside location.

The Policy Team have raised no objection to the proposal and advise that the increase would support the expansion of the business. Given the modest increase in bedrooms and as the site is not in a remote countryside location due to its position close to the A465, the variation of the condition is considered acceptable in this instance.

In conclusion, the proposal would still comply with the policies listed above.

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 be carried out in accordance with the following approved plans and document:

Drawing Title: Proposed Plans and Elevations, Drawing No: 1906/110, Received on 11 July 2025

Drawing Title: External Lighting Plan, Drawing No: 1906/400, Rev A, Received on 14 October 2025

Building Inspection Report (Protected Species), Issue 1, by Soltysbrewster, Received on 9 September 2025

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

2. **Prior to the development hereby approved coming into beneficial use** the bat boxes and bird boxes shall be provided in accordance with approved plan Drawing Title: External Lighting Plan, Drawing No: 1906/400, Rev A. The bat boxes and bird boxes shall be maintained as such in perpetuity.

Reason - In the interest of biodiversity in accordance with the requirements of Planning Policy Wales 12, The Environment Wales Act and Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Development Plan (2016-2031).

3. The maximum number of bed spaces accommodated within the care home shall not exceed 56 at any one time without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to consider any future intensification of use in this countryside location, in accordance with Policy SW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016-2031).

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 *G. Davies*

PP: Director of Neighbourhood Services

DATE: 22nd September 2026