

DELEGATED REPORT

Application No:	P/23/0270
Site Address:	Merthyr Tydfil General Hospital Penydarren Road Merthyr Tydfil
Development:	Proposed redevelopment to create 30 No. (1 and 2 bedroom) self contained apartments (Conservation Area Consent)
Case Officer:	Adam Foote
Application Expiry Date:	10th October 2023
Consultation reply date expired:	21st December 2023

APPLICATION SITE

The application site comprises the building known as Merthyr General Hospital. The building occupies a prominent position marking the northern end of the Town Centre. The site is located within the settlement boundary as defined by Policy SW11 of the Merthyr Tydfil Local Development Plan (LDP) and as shown on the associated proposals map. The site is within close proximity to the commercial centre of the Town Centre and falls within the boundary of the Town Centre Conservation Area and is within the Merthyr Tydfil Landscape of Outstanding Historic Interest.

PROPOSED DEVELOPMENT

This application seeks Conservation Area Consent (CAC) for the demolition of the rear section of the building as shown on the associated plans submitted in support of this application. There is a concurrent planning application for development of the site consisting of part renovation, part new build for solely residential purposes.

PLANNING HISTORY

P/96/0290 Residential Development (Renewal of Outline Consent) Approved 06.09.1996

P/16/0033 Conversion and extension of former nursing home to accommodate 23 dwellings. Approved 13.10.2016

P/23/0196 Proposed redevelopment to create 30 No. (1 and 2 bedroom) self contained apartments. Pending consideration.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, an Article 12 a site notice was displayed within the vicinity of the site and an advertisement placed in the local press.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040 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.

Planning Policy Wales (PPW) Edition 12 (February 2024) sets out the land use policies of the Welsh Government. The most relevant sections are:

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TAN to this application is as follows:-

TAN 12 – Design: Advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

TAN 24 - The Historic Environment: The Purpose of the TAN is to provide guidance on how the planning system considers the historic environment during development plan preparation and decision making and LBC applications. The Historic Environment is considered to include, World Heritage Sites, Scheduled Monuments, Archaeological Remains, Listed Buildings, Conservation Areas, Historic Parks and Gardens, Historic Landscapes and Historic Assets of Special local Interest.

In determining listed building consent and conservation area consent applications particular attention will be given to the Conservation Principles as set out in section 1 and in particular sections 5 and 6 of the TAN. Part 6 refers to management of Conservation Areas and defines the need for Conservation Area Consent. It states that there should be a general presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a Conservation Area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (5.15). Paragraph 6.13 continues to state that Consent for demolition should not be given without acceptable and detailed plans for the reuse of the site unless redevelopment is itself undesirable.

Cadw Managing Change Guidance

Reference is also made to the following documents.

- Managing Change to Listed Buildings
- Managing Conservation Areas
- Managing Historic Character

- Managing Setting of Historic Assets
- Managing Registered Historic Parks and Gardens
- Managing Listed Buildings at Risk

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 SW7 – The Former Ivor Steel Works Regeneration Site
 Policy SW9 – Planning Obligations
 Policy SW11 – Sustainable design and Placemaking
 Policy CW1 - Historic Environment
 Policy EnW1 – Nature Conservation and Ecosystem Resilience
 Policy EnW2 – Internationally and Nationally Protected Sites and Species
 Policy EnW4 – Environmental Protection
 Policy EnW5 – Landscape Protection
 Policy EcW5 – Town and Local Centre Development

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design
 Merthyr Tydfil Town Centre Conservation Area Character Appraisal (2009)

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are if the proposed development can be justified and accords with the requirements of the associated and aforementioned policies and whether the replacement scheme meets the tests in respect of development within the Conservation Area.

Background

The General Hospital Building was constructed on the site of the former Penydarren Ironworks. Following the closure and sale of the Ironworks the town centre expanded northwards with the General Hospital Building being constructed in 1888 with the support of William Lewis (later Lord Merthyr) and, in part funded by the local community.

The hospital facility for the town was moved upon the opening of modern facilities elsewhere. Following the use as a hospital ceasing the building was used as a care home until its closure in 1986. The building has been vacant since and has fallen into disrepair. The CAA identifies the General Hospital as one of its buildings at risk.

Historic Context/Impact

The subject of the application is not listed nor are there any listed buildings within the immediate vicinity of the site therefore any development would not impact upon the setting of a listed asset. However, the site is visually prominent within the public realm and impacts significantly upon the Conservation Area. The building is considered to be of significant value in respect of both its architectural and historic contribution to the Town.

Whilst the building does not conform to the general pattern of development found within this section of the CA, the building is considered to be a landmark feature within the built landscape that plays an important role to not only the character of the area but also to the legibility of the town.

Current State

The building as existing has fallen into a state of disrepair and is identified as being a building at risk. Significant action is required in the immediate future in order to safeguard the historic building and a viable use is required to secure its presence moving forward.

EVALUATION

Although the current state of the building is poor, it is not considered to detract from the Character of the CA, which is testimony to its design, scale and visual impact/contribution. It is noted that the primary elevation makes the most significant contribution as this is the most readily visible within the public realm and has the greatest amount of architectural detail/merit. Having regard for the poor state of the building and being mindful of the historic and visual contribution, on balance, it is considered that the rear element of the building makes a neutral impact upon the character of the CA at present.

Therefore, for completeness it is considered that the demolition of the rear section of the building should be assessed in relation to the criteria set out in TAN 24, 5.15

6.3 5.15 states that the consideration to demolish a building the following factors need to be considered:

- The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
- The efforts made to keep the building in use or to secure a new use, including the offer of unrestricted freehold of the building for sale at a fair market price that reflects its condition or situation.
- The merits of the alternative proposals for the site, including whether the replacement buildings would meet the objective of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.

It is necessary to take these points in turn. Firstly, the condition of the building and the costs of repair. The building has been vacant for a significant period of time and is currently uninhabitable for any legitimate use. There is no internal fabric of historical value remaining. Given its existing state the costs of refurbishment are substantial and given the time that has elapsed since its closure and the amount of time the building has spent on the open market it is considered that renovation would not be economically viable. Furthermore, renovation for residential occupation would require the building to be modernised to meet current standards which will impact upon the character and appearance of the building. The proposed development would facilitate the retention and refurbishment of the front section of the building which is considered to be the most visually prominent and to make the most significant contribution therefore no concern or conflict is identified in relation to the requirements of this policy.

The merits of the replacement– The proposed development (being considered under application P/23/0196) would retain the front portion of the building and involves the redevelopment of part of the site, which would take a different and more contemporary architectural approach when considered against the existing. It would be of a larger scale with a flat roof, and uses a more contemporary palette of materials. It would optimise the use of the land available opposed to being constrained to the existing envelope of the building. The additional residential properties that are able to be created from the larger scheme undoubtedly make the scheme more viable but also result in a more efficient use of previously developed land which accords with the aims/objectives as set out by Planning Policy Wales.

This test is also part of the key consideration of development within Conservation Areas as set out in Planning (Listed Buildings and Conservation Areas) Act 1990, Sec 72, which states;

72. (1) In the exercise, with respect to any building or other land in a conservation area, ...
(2) special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

CONCLUSION

As identified above the current building is a landmark building in the CA which holds significant importance both in respect of architectural merit and historic importance, however, given its current state is not considered to make the positive contribution it is capable of. However, the test is considered as neutrality or betterment.

The proper management of CA's is not to insist on all developments within it being the same or a facsimile of the previous building types. Effective management of the CA involves enhancement and incorporation of complementing but sometimes contrasting architectural styles in order to create interest and local identity. The consideration or appropriate architectural styles should be that of context, scale, mass, materials and position.

The redevelopment of part of the site (being considered under application P/23/0196) would of an appropriate scale and mass, that will juxtapose the front of the building to be retained and in so doing clearly demark the rear proposed area as a later addition. Although larger in scale, the development would not be overtly large or out of proportion within the context of the site. The materials chosen are considered to be appropriate for the setting and will complement the retained element of the structure.

Overall, the development (under application P/23/0196) is considered to be necessary to facilitate a viable future for the General Hospital. It is therefore considered that the proposals for the demolition of the rear portion of the building and its proposed replacement will preserve and enhance the character or appearance of the CA and are compliant with Section 72 of the Planning (LB&CA) Act 1990 and Paras 5.15 of TAN 24.

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 : SK100, AL(0)01, AL(0)02, AL(0)03, AL(0)04, AL(0)05, AL(0)06, SK_10 Rev B, SK_11 Rev C, SK12 Rev B, SK13 Rev B, SK20, SK21 Design and Access Statement, Ecological Impact Assessment - October 2023, Transport Note.

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

3. 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.

4. In the event that any evidence of potential contamination is found at any time when carrying out the approved development that was not previously identified then all development works should be stopped immediately, the Local Planning Authority and the Environmental Health Department contacted within 2 working days and a scheme to investigate the risks and any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works. Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

Reason - To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

5. **No development shall take place** until a written scheme of historic environment mitigation has been submitted to and approved in writing by the local planning authority. Thereafter, the programme of works will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason - To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to accord with Policy CW1 of the Merthyr Tydfil Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE: 07.03.2024