

DELEGATED REPORT

Application No:	P/24/0054
Site Address:	RSPCA Merthyr Tydfil Clinic Abercanaid Industrial Estate Abercanaid Merthyr Tydfil CF48 1YF
Development:	Change of use of part upper floor (Unit D61) from residential (RSPCA associated staff only) to office accommodation
Case Officer:	Adam Foote
Site Visit:	22nd March 2024
Application Expiry Date:	7th May 2024
Consultation reply date expired:	12th April 2024

APPLICATION SITE

The application site comprises of a portion of the existing RSPCA Veterinary Clinic located on Abercanaid Industrial Estate. The section of the building subject of this application is currently arranged as residential overnight accommodation for staff working at the clinic.

The site is within the settlement boundary as established by Local Development Plan (LDP) Policy SW4 and on land protected for employment use by LDP Policy EcW2. Additionally, the site is within the allocated Hoover Regeneration Area (LDP Policy SW6).

The Flood Map for Planning that accompanies Technical Advice Note (TAN) 15 identifies the application site to be at risk of flooding and falls into Flood Zone 2 and 3 Rivers.

PROPOSED DEVELOPMENT

This application seeks consent for a change of use of part of the existing building from overnight accommodation to office space to be used by the RSPCA. No external alterations are proposed to the building. The section of the building subject of this application is outlined in red on the floor plan (J0046512-21-02) submitted in support of this application.

PLANNING HISTORY

P/01/0049	Erection of R.S.P.C.A. Veterinary Clinic with 3 self contained units of residential accommodation for staff in roof space.	Approved
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P/04/0622	Erection of free standing illuminated sign	Approved
P/09/0101	Alterations to existing exercise yard	Approved

CONSULTATION

Planning Policy Officer	-	No objection
Natural Resources Wales	-	No objection
Head of Engineering and Highways	-	No objection

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, a site notice was displayed within the vicinity of the site. No representations have been received following this publicity exercise.

POLICY CONTEXT

National Policy

The Future Wales – the National Plan 2040
Planning Policy Wales (PPW) Edition 12 (February 2024)

Technical Advice Notes (TANs):-
TAN 15: development and flood risk (2004)
TAN 18: transport (2007)

Local Policy

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

Policy SW4: Settlement Boundaries
Policy SW6: Hoover Strategic Regeneration Area
Policy SW9: Planning Obligations
Policy SW11: Sustainable Design and Placemaking
Policy SW12: Improving the Transport Network
Policy CW1: Historic Environment
Policy EnW1: Nature Conservation and Ecosystem Resilience
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

Supplementary Planning Guidance (SPG):

Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 2:
Planning Obligations (March 2012)

PLANNING CONSIDERATIONS

The primary considerations in the determination of this application are; the principle of the development, flood risk, visual amenity and impact upon the character of the area, highway safety and ecology.

Principle of the development

The application site is within the settlement boundary (LDP Policy SW4) where there is a presumption in favour of development and the efficient use of land is encouraged. The site also falls within a primary growth area, the Hoover strategic regeneration zone and within the Abercanaid Industrial estate, which is protected employment land. Therefore LDP Policies SW6 and EcW2 are applicable in establishing the principle of the development.

In respect of policy SW6 the proposed change of use of part of the building to be used in conjunction with the primary use of the site raises no conflict with the requirements of the policy. No objection is raised in respect of policy SW6.

LDP Policy EcW2 provides a number of criterion for proposals to be considered against including;

- *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*
- *It is an acceptable complementary commercial service outside class B uses*

The existing use falls within use class D1. However as the use is existing and is considered to be an acceptable complementary commercial use within the industrial estate and that the proposal would provide an ancillary service that supports the primary employment use, it is considered that the proposed development accords with the requirements of the policy and is acceptable in principle.

Flooding/flood risk

The application site falls partly with a zone 2 and partly within a zone 3 flood zone as shown on Natural Resources Wales (NRW's) flood maps for planning. However, the building is shown to be outside of the flood outlines and would result in a less vulnerable form of development. Therefore no objection is raised to the proposed development on the basis of flood risk. Additionally, as no built form is proposed the proposal would not impact upon flooding/flood risk on third party land. NRW have been consulted on this application and raise no objection to the proposed development however have suggested an informative which would be attached to any subsequent grant of planning consent.

Visual amenity/character of the area

The proposal seeks a change of use of part of the building and internal works therefore there would be no different visual impact that what results from the exiting. Accordingly, no concern is raised in this respect and no conflict with LDP Policy SW11 has been identified.

Highway safety/parking

The proposed change of use of a section of the building to office space is not expected to generate any significantly different trip generation when compared to the existing use. Therefore no concern is raised in respect of the capacity of the local highway network and no alterations to the existing car parking provision is considered to be necessary.

The Head of Engineering and Highways has been consulted on this application and raises no objection. Conditions have been requested relating to parking, cycle stands and surface water runoff. However given the nature and extent of the proposed development it is not considered that the conditions are necessary or required.

Ecology

Policies EnW1 and EnW4 seek to ensure that green infrastructure is protected, enhanced and the effects of climate change mitigated, such requirements accord with policy and guidance within Future Wales 2040 and Planning Policy Wales. The proposal raises no significant concerns in this regard given the existing context and nature/extent of development proposed. The nature of the proposal as a change of use is such that it would have minimal impact upon green infrastructure or biodiversity interests, nor would it have any significant impact upon climate change. The Local Planning Authority have a duty to take action towards securing the maintenance and enhancement of the aforementioned features and to mitigate against the effects of climate change. As no details of a biodiversity enhancement have been proposed it is considered necessary to condition that details of biodiversity enhancement are submitted to and agreed by the local planning authority prior to the development coming into beneficial use.

Planning obligations

Given the scale and nature of the development proposed no planning obligations would be sought, nor would the development trigger any CIL requirement.

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 acceptable and complies with the relevant policies. 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:

Proposed Floor Plan: J0046512-21-02

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

3. Prior to the development hereby approved coming into beneficial use details of biodiversity/ecological enhancements, together with a timescale for its implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and 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 Replacement Local Development Plan.

INFORMATIVES

1. Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 16.04.2024