

# DELEGATED REPORT

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|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/24/0227</b>                                                                                                                                                              |
| <b>Site Address:</b>                    | <b>Former Tregenna Hotel<br/>Park Terrace<br/>Merthyr Tydfil<br/>CF47 8RF</b>                                                                                                 |
| <b>Development:</b>                     | <b>Proposed change of use from hotel (C1 Use Class) to temporary supported living accommodation (Sui Generis) with internal and external alterations and associated works</b> |
| <b>Case Officer:</b>                    | <b>Kate Glover</b>                                                                                                                                                            |
| <b>Site Visit:</b>                      | <b>8th October 2024</b>                                                                                                                                                       |
| <b>Application Expiry Date:</b>         | <b>8th January 2025</b>                                                                                                                                                       |
| <b>Consultation reply date expired:</b> | <b>29th October 2024</b>                                                                                                                                                      |

## APPLICATION SITE

The site comprises a former hotel with additional hotel accommodation provided in an 'L' shaped annex positioned hard on the site's northwest and northeast boundaries. A total of 23 bedrooms were available for visitors and the ground floor of the premises included kitchens, reception rooms and bars for customers and hotel residents.

The main building is a substantial property which has been the subject of later additions which include a two-storey rear extension and at the front of the building, a single storey flat roof extension. The single-story flat roof section includes large areas of glazing and is clad with stone. The external materials of the building are concrete tiles on the roofs, white uPVC window and door frames. The principal elevation of the building includes an attractive oriel window with decorative moulding under the window canopy.

The application site has a parking area which is positioned between the rear of the main building and the annex. Vehicular access and egress to the rear parking area from the public highway is via Park Terrace and the entrance to the parking area is located on the southwest corner of the application site.

The application site is located at the end of Park Terrace, within an urban location close to the town centre and with a mix of uses in the vicinity. Immediately to the southwest of the site are dwellings along Park Terrace. A dwelling (Ael Y Bryn) is located hard on the boundary of the proposal site. Pen-Y-Darren Park and Merthyr Town Football Club and Stadium are to the northwest and northeast. Pontmorlais Memorial Gardens is located to the east and a Masonic Lodge (locally listed building) is located opposite the development site.

The former District Education Office of Mid-Glamorgan County Council (a Grade II listed building) is located to the south.

The application site is located within the Morgantown Conservation Area, Settlement boundary and Primary Growth Area. It is noted that the property has previously been used for emergency residential accommodation since November 2020.

## PROPOSED DEVELOPMENT

Full planning permission for a change of use from a hotel to a use which comprises of 19 self-contained residential studio apartments which would be split across the main building where 11 flats would be provided, and the annex where 7 flats would be provided.

In addition to the residential accommodation, facilities to support the residents and space for the staff working on the site would be provided within the main building. The additional facilities for the residents would be provided on the ground floor of the main building and the facilities would comprise of the following: communal/training kitchen and dining area; communal activity room; communal quiet room; counselling room; training room and laundry. Staff facilities would be provided on the ground floor of the main building and comprise of the following: reception office; staff room; staff overnight accommodation; staff kitchen; showers and offices.

Parking spaces in the rear in the parking area would be formalised and provide spaces for 8 cars.

Turning to the alterations proposed to the main building. The roof would be removed, and the roof would be finished in black coloured, slate effect roof tiles. The existing rainwater goods, doors and window frames would be replaced with uPVC equivalents. Solar panels would be integrated into the principal roof slopes of the main building and the south-west facing roof slope of the rear extension. Whilst the majority of the solar panels would be integrated into the roof and sit below the roof pitch, there would be a 5cm projection above the roof pitch. The solar panels would be grey/black in colour.

In respect of the alterations proposed to the single storey flat roof section. The window frames on the southside of the elevation would be replaced and the larger window openings that are located on the northside of the elevation will be filled to match the size of the window openings on the southside of the elevation. The window frames to be used in the openings would be uPVC and the design of the window frames, mullions and transoms would match those proposed to be used elsewhere on the building. The stone cladding that is above ground floor level will be rendered and the stone cladding below ground floor level will be left as existing.

Turning to the alterations proposed to the rear annex. The materials used on the external elevations of the rear annex comprise of rendered elevations and concrete roof tiles. The roof of the chalet section will be replaced with black coloured, slate effect roof tiles. Solar panels will be installed on roof slopes of the chalet building that face west and south. The existing rainwater goods, doors and window frames would be replaced with uPVC equivalents. The elevations of the chalet building would be covered with insulation and finished with grey coloured horizontal boarding. Solar panels would also be integrated into the south-west and south-east facing roof slopes. As with the solar panels to be installed in the main building, the panels would project 5cm above the roof pitch and would be grey/black in colour.

In respect of the use and function of the application site the self-contained flats and communal areas are to house and support those in need of temporary living accommodation and could cater to those with complex support needs related to mental health or substance misuse.

The residents are likely to require additional support due to personal circumstances and who have difficulty in maintaining a stable tenancy and the residents will be supported 24/7 by in-house staff. The staff will work with the residents to produce personalised care plans with the aim of providing residents with skills necessary for long-term housing stability.

In addition to this the residents will have access to training opportunities aimed at enhancing the independent living skills,

In terms of staffing numbers, there would be a maximum of 5 staff, who will comprise of a manager, a scheme support officer, an accommodation coordinator, and two project workers.

Turning to biodiversity enhancement. Bat roosting opportunities will be provided by the raising of three of the ridge tiles that will be used for the replacement roof of the main building and a bat box will be provided on the south-west elevation of the main building. In addition, a house sparrow box and a swift nesting box will be provided on the north-eastern facing elevations of the main building.

## PLANNING HISTORY

The Council's records do not indicate any other recent or relevant planning history for this site.

## CONSULTATION

|                                |              |
|--------------------------------|--------------|
| Head of Engineering & Highways | No objection |
| Planning Ecologist             | No objection |
| Environmental Health Manager   | No objection |
| South Wales Police             | No objection |
| South Wales Fire and Rescue    | No objection |
| Strategic Housing Manager      | Support      |

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to adjoining properties and others along the street and 3 site notices were displayed within the vicinity of the site.

One letter of objection was received following this publicity exercise. The main material points of the letters received have been summarised below:

- Not compliant with planning policy
- The area has an overconcentration of the following social care facilities:
  - a 4 bedroom care home for adults with learning disabilities;
  - a 6 bedroom rehabilitation service for women with a range of needs; and

- a 12 bedroom unit specialising in caring for people with dementia and mental health issues.
- Housing of up to 19 men focusing on those with mental health and substance abuse issues will lead to more noise and anti-social behaviour than currently experienced. Anti-social behaviour is expected due to management of this matter referred to in the planning application
- Traffic and Parking Concerns

Due to the objections received this application has been referred to the local Ward Councillors to inform them of the responses received in relation to this application. It has not been requested that the application be presented to the planning committee. As such, it will be determined under the delegated powers by the Director of Neighbourhood Services.

## 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.

Policy 2 of Future Wales states:

*“The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure. Urban growth and regeneration should be based on the following strategic placemaking principles:*

- *creating a rich mix of uses;*
- *providing a variety of housing types and tenures;*
- *building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other;*
- *increasing population density, with development built at urban densities that can support public transport and local facilities; establishing a permeable network of streets, with a hierarchy that informs the nature of development;.....”*

### National Planning Policies

Planning Policy Wales (Edition 12, February 2024) must be taken into considerations. Relevant sections are identified below:

- Paragraphs 3.3 – 3.18 refer to good design and better places.
- Creating sustainable development through reducing the reliance on car journeys and maximising opportunities for peoples to make more sustainable and healthy travel choice is emphasised throughout PPW. Paragraph 3.12 highlights that “*Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising*

*opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate". Paragraph 4.1.1 reiterates this noting "The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution". Similarity, Paragraph 4.1.37 notes that "Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services". In respect to car parking paragraph 4.1.51 notes "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".*

- Paragraphs 6.1.14 – 6.1.17 relate to conservation areas. Paragraph 6.1.14 notes that *"There should be a general presumption in favour of the preservation or enhancement of the character or appearance of conservation areas or their settings. Positive management of conservation areas is necessary if their character or appearance are to be preserved or enhanced and their heritage value is to be fully realised".* With paragraph 6.1.15 clarifying that *"There is a strong presumption against the granting of planning permission for developments, including advertisements, which damage the character or appearance of a conservation area or its setting to an unacceptable level".*

Technical Advice Notes (TAN):

- TAN 12: Design (March 2016)
- TAN 24: Historic Environment (May 2017)

### 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:

- SW1 Provision of New Homes
- SW3 Sustainably Distributing New Homes
- SW4 Settlement Boundaries
- SW9 Planning Obligations
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- SW13 Protecting and Improving Local Community Facilities
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience
- EnW2 Internationally and Nationally Protected Sites and Species
- EnW4 Environmental Protection

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 1, Affordable Housing
- Note 2, Planning Obligations
- Note 4, Sustainable Design
- Note 5, Nature and Development

### Principle of Development

As noted above, the application site is located within the Primary Growth Area and Settlement Boundary where new development is generally supported and encouraged by Policy SW4 of the LDP. Policy SW1 also identifies the need to provide 2250 additional homes to sustainably grow our population. The proposal comprises 19 new residential units, although temporary as required for their specific use, would represent a contribution to the 2250 units that are required during the plan period. Furthermore, Policy SW3 states that new homes will be concentrated within the main settlement of Merthyr Tydfil.

In respect of LDP Policy SW13, there is a requirement that applications for the loss of a community facility should be supported with evidence to establish that the community facility is no longer required. However, the Welsh Government identifies that there is a need to address homelessness and provide additional support for those in need.

Merthyr Council's Strategic Housing Team advise that the proposal provides a rapid rehousing transition plan and fully supports the development. The Housing Team also advise that development is in line with the meeting the statutory duties of the Council and the housing section plan.

As such, the principle of the proposed development meets the policy requirements of LDP policies SW3, SW4 and SW13.

### Residential Amenity

It is noted that the use of the building as temporary accommodation has taken place in the past. The objections in relation to potential antisocial behaviour and a concentration of properties providing social care are noted.

The planning division is not aware of any issues being raised previously in respect to any noise, disturbance or antisocial behaviour caused by the previous use as temporary residential accommodation or from the occupants of other social care facilities in the area.

In terms of cumulative impacts caused by noise, disturbance and antisocial behaviour, the extant use of the building as a hotel, other social care facilities in the area and the site's close proximity to Merthyr Town Football Stadium are noted.

With regards to the proposed 19 units of residential accommodation and staffing levels, the proposed use would not be significantly different to that of the hotel. Indeed, it would be no more disruptive than its extant use as a hotel, which would have attracted short term visitors to the area and likely generated more comings and goings. Residents in the vicinity are also likely to be subject to periodic increases in noise from events at the football stadium. Whilst there is some potential for additional noise and disturbance

resulting from the proposal, it is noted that the property would be staffed 24/7 and the impact of the proposed use is not so significantly harmful to warrant the refusal of the application. It is also noted that no objections have been received from the Environmental Health Manager or South Wales Police.

Accordingly, the proposal complies with Policy SW11 of the LDP.

### Lighting

Lighting details were submitted in support of the proposal. The details included information on a number of external lights that would be designed to be downward lit and on, PIR sensors. It is noted that two lighting columns are positioned hard on the south-western boundary of the site.

No technical information on current or proposed levels of illuminance, temperature of lighting or light spill have been submitted in support of the proposal and the applicant advises that the scheme of lighting must meet with the requirements of Gold Standard for Secure by Design.

It is noted that on the treatment along the south-western boundary of the site is a fence and this boundary is directly adjacent to Ael Y Bryn (dwelling). It is noted that mature trees within the garden of Ael Y Bryn are located towards the rear of the dwellings private amenity area and therefore, the application site. Further to this the Planning Ecologist has noted that there are records of light sensitive bats using the area.

It is also noted that the site is in an urban location, the premises has lighting at the rear of the building and flood lighting associated with the football stadium is located to the north of the application site.

Although detailed information on existing or proposed lighting levels has not been submitted in support of the application, given the existing levels of lighting on and around the site an appropriate scheme of lighting can be achieved to meet the requirements of the applicant, ecology and protect residential amenities of the neighbouring property. As such, a condition can be used to approve any future external lighting that is erected on the site.

### Highway safety/parking

The extant planning use as a hotel would result in the movement of traffic on and around the proposal site and a level of parking commensurate for the number of staff and customers, both residential and non-residential.

As a hotel, there would be a greater level of traffic movements and higher parking requirements for staff and customers than the level of traffic movements and parking needs associated with the proposed use. Future Wales: The National Plan 2040 and Planning Policy Wales 12, support lower levels of off street car parking provision or developments without dedicated off street parking in appropriate locations. As the site is within the settlement boundary and given its proximity to public transport and town centre facilities it is considered that the stance of national policy further adds to the justification for the provision of 8 parking spaces.

It is acknowledged that the Head of Engineering and Highways has not raised any highway safety concerns with the proposal. It is recognised that the level of parking is acceptable given in relation to staff numbers and the nature of the accommodation.

Accordingly, the proposal complies with Policy SW11 of the LDP.

### Visual Impact

It is noted that the building is within the Morgantown Conservation Area and the Masonic Lodge (locally listed building) is located opposite the development site.

It is noted that the main building and annex will be subject to an extensive refurbishment which includes new roofs, rainwater goods, window frames and doors.

The works proposed to the main building including retention of the decoration around the oriel window in the principal elevation are acceptable. In respect of the single storey front extension, the proposed use of render on the stone cladding above ground level and resizing of the windows would be more in keeping than the character and appearance of the main building than the current situation.

Turning to the rear annex. It is noted that the rear annex building is in a more discreet location and, for the majority is hidden behind the main building. The proposed roof tiles, window frames and doors are appropriate to the buildings character and appearance. In respect of the horizontal board cladding and the solar panels due to the more discreet location of the building, its visual relationship with the conservation area is limited and alterations to the character and appearance of the building are acceptable.

In respect of the solar panels to be used on the internal roof slopes of the rear annex, the principal roof slopes of the main building and rear extension of the main building. The roof slopes of the annex and the rear extension of the main building are not clearly observed from public areas around the application site, as such, there are no concerns regarding these solar panels and potential detriment to the character and appearance of the conservation area.

The principal roof slopes of the main building are visible from public viewpoints both directly outside of the building and from Pontmorlais High Street. The solar panels would be grey/black in colour and therefore very similar in colour to the proposed roof slates. In addition, the majority of the solar panels would be set into the roof slope and protrude by only 5cm. The combination of colour and method of positioning the solar panels would result in a development with a similar finish to that of the roof slates and would not appear incongruous when viewed from public vantage points.

The proposal would therefore result in an acceptable form of development, which would not result in significant harm to the character and appearance of the property, nor would it adversely affect the character of the existing street scene or wider conservation area.

As such, the proposal meets the requirements of LDP Policies CW1 and SW11.

### Ecology

The Council's Ecologist (Ecologist) notes the submission of '*Bat Survey: Tregenna Hotel, Park Terrace, Merthyr Tydfil, CF47 8RF*' dated October 2024 Revision V2.0 (Bat Survey),

by Ecological Services Ltd. The Ecologist is satisfied with the survey methodology and notes that survey did not identify bats or other protected species using either the main building or rear annex.

As noted above, the Ecologist has raised concerns in relation to there being records of light sensitive bats in the area and potential detriment to bats and their habitat caused by unmanaged lighting along the south-western boundary. As discussed above, it is considered that a lighting plan can be secured via a condition.

The Planning Ecologist has requested a Landscaping, Habitat & Ecology Scheme (LHES) is secured by condition. Given the ecological value of the site and the biodiversity enhancements already proposed, a condition that seeks to secure further ecological enhancements would not be proportionate.

As noted in chapter 6 of Planning Policy Wales (edition 12), applications should be supported by Green Infrastructure Statements (GIS). Likewise, given the nature of development, this would not be deemed a reasonable requirement in this instance. Notwithstanding this, the proposed ecological enhancements can be controlled by condition, thus providing additional habitats in the local area, and therefore contribute to the wider green infrastructure objectives.

As such, the proposal meets with the requirements of LDP Policy EnW1.

#### Planning obligations

Policy SW2 of the LDP sets out the target for development proposals to deliver up to 253 affordable dwellings across the County Borough to meet an identified housing need. Policy SW9 of the LDP seeks contributions towards the provision of affordable housing and Policy SW9 relates to planning obligations. Given the nature of the proposal, the provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought.

As such, the proposal meets with the requirements of LDP Policy SW9.

#### Response to third party comments

The majority of the points raised as a result of the publicity exercise have been covered in the earlier sections of this report. However, it is noted that comments have been received in respect of potential for antisocial behaviour and the character of potential future occupiers, which are issues that can arise and are not limited to that of social care developments.

In respect of the concerns relating to the future occupants of the proposal, planning controls are concerned with the use of land rather than the user and there are other measures outside of the planning system available to address antisocial behaviour. As such, these matters fall outside the remit of the Town and Country Planning Act and are not material planning considerations in the assessment of this application.

## 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.

For the above reasons, the proposed development is 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 document:

Drawing Title: Hotel Demolition Plans - Elevations, Drawing No: R583-P-06, Received on 25 September 2024.

Drawing Title: Proposed Site Plan, Drawing No: R583-P-01, Received on 25 September 2024.

Drawing Title: Hotel Proposed Ground Floor Plan, Drawing No: R583-P-08, Received on 25 September 2024.

Drawing Title: Hotel Proposed First Floor Plan, Drawing No: R583-P-09, Received on 25 September 2024.

Drawing Title: Hotel Proposed Second Floor Plan, Drawing No: R583-P-10, Received on 25 September 2024.

Drawing Title: Hotel Proposed Elevations and Sections, Drawing No: R583-11-C, Received on 12 December 2024.

Drawing Title: Hotel Proposed External Finishes, Drawing No: R583-12B, Received on 12 December 2024.

Drawing Title: Chalet Proposed Ground Floor Plan and Elevations, Drawing No: R583-13-C, Received on 12 December 2024

Drawing Title: Hotel Proposed External Finishes and Insulated Linings, Drawing No: R583-14B, Received on 12 December 2024

Bat Survey: Tregenna Hotel, Park Terrace, Merthyr Tydfil, CF47 8RF, Version: V2.0, dated October 2024 by Ecological Services Ltd, Received 13 November 2024

**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 13:00 on Saturdays and at no time on Sundays or Public Holidays.

**Reason** - In the interests of local amenity and to avoid statutory nuisance.

4. **Prior to the erection of any external lighting**, full details of a lighting scheme shall be submitted to and approved in writing by the local planning authority. The details shall include details of the lighting to be used, horizontal and vertical lux levels and mitigation measures to be put in place to minimise the light spill towards

the boundary to the southwest of the site. The lighting shall be carried out in accordance with the approved details and retained in perpetuity thereafter.

**Reason** - To protect the natural environment and minimise impacts on protected species and to protect the residential amenities of nearby dwellings in accordance with Policies EnW1, EnW3, EnW4 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **Prior to the development hereby approved coming into beneficial use** the bat box, ridge tiles raised for bat roosting opportunity, sparrow terrace and swift nesting box shall be provided in accordance with the approved Proposed Elevations and Sections (Drawing No: R583-11-C) and Bat Survey (Version V2.0, dated October 2024). The bat box, raised ridge tiles, sparrow terrace and swift nesting box 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 Replacement Local Development Plan.

## 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**

A handwritten signature in black ink, appearing to be 'J. Smith', written over a horizontal line.

**Director of Neighbourhood Services**

**DATE: 20.12.2024**