

DELEGATED REPORT

Application No: P/21/0342

Site Address: Former St Tydfils Hospital
Upper Thomas Street
Merthyr Tydfil
CF47 0SJ

Development: Variation of Conditions 15 (piling) and 20 (retaining walls) of planning permission P/20/0199 to enable details to be submitted prior to works commencing on the construction of the dwellings

Case Officer: Huw Roberts

Application Expiry Date: 18th November 2021

Consultation reply date expired: 26th December 2021

APPLICATION SITE

The application site, which was formerly the St Tydfils hospital, is irregular in shape and measures approximately 2.06 hectares. The majority of the site is relatively flat but it rises significantly along parts of the eastern boundary towards Thomastown Park (an Open Space as designated in the Merthyr Tydfil County Borough Council Replacement Local Development Plan (LDP)). The bulk of the site is covered in hardstanding areas (tarmac and concrete) and various piles of rubble which remain following the demolition in 2015/16 of the former union workhouse (and extension), chapel, infirmary, plant and other buildings. The main remaining buildings on the site are the Grade II Listed Entrance Block (with attached southern wing which is not listed in its own right) and a former house (which may have been the Master's house) located along the southern boundary. Both these structures are in poor condition but in particular the house has fallen into a state of disrepair.

The western boundary of the site abuts properties in Union Place and Upper Thomas Street. In the middle section of the western boundary the site wraps around the Old Cholera Cemetery (an Open Space as designated in the LDP) before adjoining the embankment of the rear access road serving the properties along High Street. The northern boundary adjoins the properties at the end of the cul-de-sac of Taff Vale Court. The eastern boundary is protected by the landscaped boundary of Thomastown Park and a footpath that leads down to Primrose Cottages and the end of Union Street. The southern boundary is raised above the level of Union Street and Primrose Cottages and is bound by a retaining wall which varies in height.

PROPOSED DEVELOPMENT

The application has been submitted to vary conditions 15 and 20 of planning permission P/20/0199. The conditions currently state:

15. *No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.*

20. *No development shall take place until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.*

The applicant has requested that the conditions be varied to enable some site works to be undertaken before the above-mentioned details are provided. Thus, the request is that both conditions should read '*No works shall commence on the construction of the dwellings until details . . .*'

PLANNING HISTORY (relevant)

P/20/0234 - Demolition of remaining curtilage buildings and south block of main building. Alteration, extension and conversion of retained main block to create 7 apartments and a dwelling – Listed Building application – Consent granted 30/04/2021

P/20/0199 - Residential development consisting of the conversion and extension to a listed building to create 7 apartments and a dwelling, construction of 62 dwellings (including 31 affordable units), the demolition of existing buildings, landscaping, re-profiling of land, alterations to the existing access and other associated works – Approved 17/12/2020

P/14/0277 - Prior notification of demolition of the former Union Workhouse, workhouse extension, chapel and plant buildings – Approval not required – 30/10/2014

P/14/0131 - Prior notification of demolition of infirmary and 1960's building – Approval not required 13/06/2014.

CONSULTATION

Head of Engineering: No objection.

Natural Resources Wales (NRW): No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a notice was posted at the front of the site.

As a result of this publicity exercise no letters of representation were received.

POLICY CONTEXT

National Policy

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 11 (February 2021) sets out the land use policies of the Welsh Government. The most relevant sections are:

Para 6.9.1 sets out that understanding the barriers to unlocking the potential of places, including the transformation or regeneration of an area or the development of a single site, is a key part of achieving sustainable places. Barriers could include dereliction or risks such as flooding, land contamination or instability.

Para 6.9.16 highlights that whenever development or re-development potential exists the planning system will be the preferred means of addressing potential land contamination.

Local Policy

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

Policy EnW4: Environmental Protection

PLANNING CONSIDERATIONS

The main consideration is whether the variation of the conditions would be acceptable in terms of affecting the reason for imposing the conditions originally. For example, condition 15 was imposed to protect the public and ground waters from pollution/contamination and condition 20 was imposed to ensure the retaining walls were safe and visually acceptable. In both cases the proposed variations would still ensure the same issues can be adequately controlled. Furthermore, the varied conditions would still meet the six tests set out in the Welsh Government Circular (WGC/016/2014).

As stated above, neither NRW nor the Head of Engineering have objected to the variations. However, it is recommended that the conditions read:

15. No works shall commence on the construction of any dwelling until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that

there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

20. No works shall commence on the construction of any dwelling until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Finally, 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

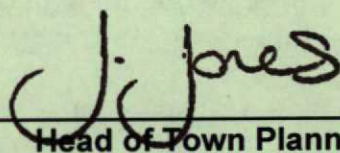
15. No works shall commence on the construction of any dwelling until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason - In the interests of public health and to protect the ground waters in accordance with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

20. No works shall commence on the construction of any dwelling until details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED


Head of Town Planning

DATE:

27/10/21