

<b>DATE WRITTEN</b>	10th December 2020
<b>REPORT AUTHOR</b>	Judith Jones
<b>CASE OFFICER</b>	Huw Roberts
<b>COMMITTEE</b>	Planning and Regulatory
<b>COMMITTEE DATE</b>	16th December 2020

**Application No.**  
P/20/0199

**Date**  
21st August 2020

**Determining Authority**  
MTCBC

**Proposed Development**

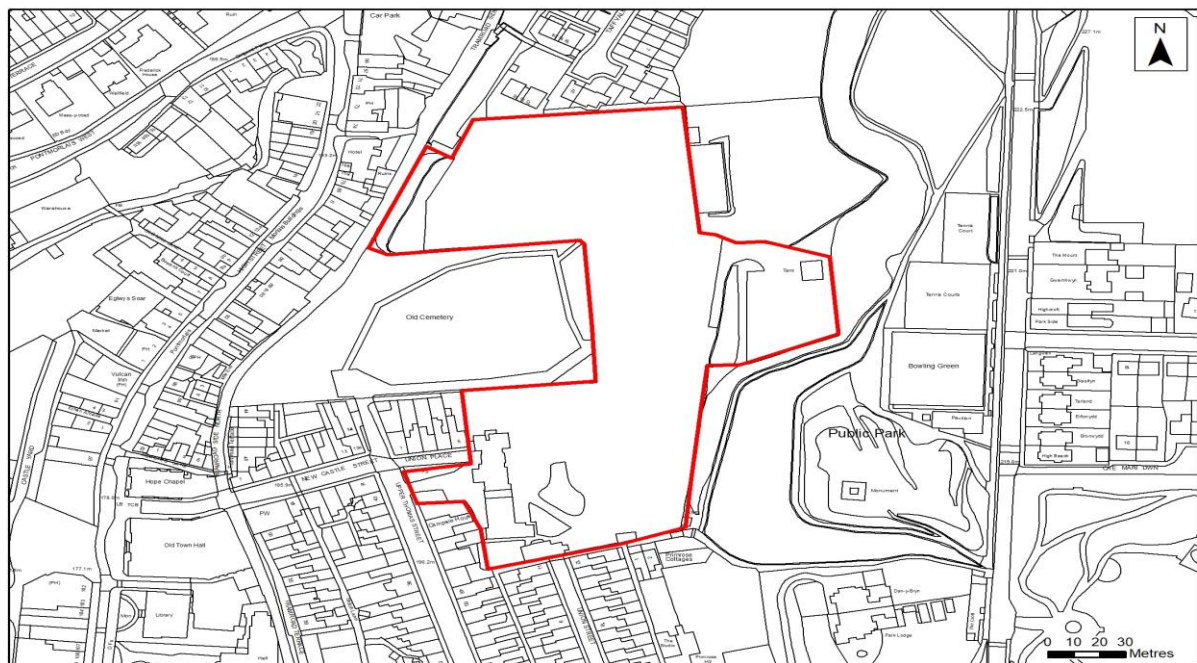
**Location**

**Name & Address of Applicant/Agent**

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

Former St Tydfil's Hospital  
Upper Thomas Street  
Merthyr Tydfil  
CF47 0SJ

St Tydfil's Developments  
LLP  
c/o Amity Planning  
F.a.o. Mr J Wilks  
Suite 103  
Creative Quarter  
Cardiff



## 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.

Although the Entrance Block is in need of urgent repair, both externally and internally, it is still a magnificent decorated Gothic style building. Notably its projecting two storey gable with large four light traceried window (with ornate detailing) provides a prominent and striking entrance to both the building and the wider site. The visual impact of the building is fully appreciated from Upper Thomas Street and when entering the site from the main entrance in the south western corner. As one enters the site from Upper Thomas Street, on the left hand side of the entrance (adjacent to Union Place) is a Grade II Listed statue (and plinth) of Sir W.T. Lewis. A small section of the site, opposite the statue, falls within the Thomastown Conservation Area.

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 is for the development of 70 residential properties with the provision of internal access roads/parking areas, the reconfiguration of the main access, re-profiling of the land, creation of a sustainable urban drainage system, landscaping and provision of a biodiversity reserve area.

The listed building would be converted and extended to create 7 apartments and a dwelling. The apartments would be provided over three floors within the listed building. Three, two bedroom, apartments would be provided on the ground floor. They would be accessed, via an internal lobby area, from the main front entrance into the building. From the lobby, internal stairs would lead to a first floor landing area which would enable access to a further three, two bedroom, apartments. The final two bedroom apartment would be accessed via the internal stairs to the second floor located within the highest and most prominent gable projection. The conversion would utilise existing window and door openings with the roof re-

covered with natural slates. Other features such as gutters, downpipes, parapets, copings, the finial and the cupola etc. would be repaired with matching materials. Timber windows would be repaired where possible or otherwise replaced to match the existing. The stone tracery windows would be glazed with slimline, double glazed, metal window frames. Stained glass would be inserted into the upper parts of the tracery windows. A new painted hardwood door would be provided to the front entrance. The rear steel staircase would also be removed as part of the proposed conversion.

The entire southern wing (i.e. the part of the building which is not listed in its own right) would be demolished. This would enable an extension, set back 3.5m from the main gable projection, to be constructed. This extension, which would be two storey and have full height gables (with minimal projection) to the front and rear, would measure 4.5m wide, 10.0m deep with a maximum height of 8.7m. The extension, which would accommodate a two bedroom dwelling, would be rendered above a natural stone plinth and have a natural slate roof. The dwelling and apartments would be sold on the open market.

The only access to the site would be via Upper Thomas Street. To enable an enhanced vehicular and pedestrian access, the existing boundary walls/railings would be splayed by utilising the existing materials. This would improve visibility when exiting the site and also enable a 5.5 metre wide carriageway with footpaths either side to be provided. From the main access, the road would be constructed to the south of the extended listed building and continue in an easterly direction before turning north and along the side of the open space (Old Cholera Cemetery). In the wider northern part of the site, beyond the open space, the road would form a loop. A similar circular road arrangement would be provided to the rear of the listed building with the provision of a shared surface.

Generally, the properties would be constructed to front onto the roads/shared private drives. They would be split into 31 affordable and 31 open market properties consisting of:

- 3 detached two storey properties (with two flats in each property).
- 4 semi-detached two storey properties (with two flats in each property).
- 1 detached bungalow
- 2 semi-detached bungalows
- 26 two storey semi-detached properties
- 9 two storey detached properties
- 10 two storey terraced properties (made up of two terraces of 3 properties and a terrace of 4 properties).

The properties would vary in size but their design, although contemporary, would follow the simple and symmetrical form of the properties in the surrounding area. They would generally be constructed close to the back of the footpath with a flat front elevation and vertically proportioned windows. Some of the larger houses would be double fronted. The main front entrance to the properties would be framed by a coloured rendered door surround. The front (part sides) external walls of some of the properties (located close to the listed building) would be constructed using reclaimed natural stone from the demolished buildings. The remaining walls of these properties would be constructed using a brown/grey clay brick. Four of the detached properties would have rendered (white) front (part sides) external walls. The remaining walls of these properties would also utilise the same clay brick. The external walls of the remainder of the properties would be constructed entirely

with the brown/grey clay brick. The roofs of all the properties would be covered with artificial slates.

The greatest amount of engineering works required to create the proposed layout would occur towards the centre of the site. At this location the land rises steeply to a plateau (adjacent to Thomastown Park) located approximately 15m above the proposed road level. The submitted information indicates that the proposed embankment below this plateau would be re-graded and planted with native shrubs and trees. The plateau itself would become a biodiversity reserve. In this area there would also be native tree planting, species rich grassland, bird and bat boxes (in existing trees), Hibernaculum's (shelter for animals) and a Horseshoe bat cool tower (roost).

The proposal results in the felling of 3 trees protected by a preservation order (TPO). These are located in the south west corner of the site. The submitted landscaping scheme highlights the planting of numerous trees throughout the site and a plan specifically shows the trees which would be planted to replace the TPO trees.

Sustainable Urban Drainage Systems (SUDS) in the form of swales (i.e. a linear depression which transfers surface water overland to a discharge point) and rain gardens (i.e. area of land used to soak up water) are proposed to allow surface water to be drained from the site. The swales would be located along the boundaries with the open space (Old Cholera Cemetery) and Taff Vale Court. The rain gardens would be provided to the front and sides of some of the properties.

The application has been supported by the following documents:

- Planning Design and Access Statement (amity) August 2020
- Pre-Application Consultation Report (amity) August 2020
- Heritage Impact Assessment (K Metcalfe Heritage) September 2020 Rev E
- Transport Assessment (Capita) – July 2020
- A Phase 1 Geo-Environmental Assessment (IDOM) – August 2020
- Tree Survey (Treescene) – March 2020
- Drainage Strategy Note (Spring Design) July 2020 Rev A
- Noise Survey Report (Capita) – July 2020
- Design Vision Statement (Spring Design) 20 July 2020
- Air Quality Assessment (GL Hearn) August 2020
- Preliminary Ecological Assessment (Barry Stewart & Associates) 29 July 2019
- Reptile Mitigation Strategy (David Clements Ecology Ltd) – October 2020 v1.1
- Bat Survey Report (David Clements Ecology Ltd) – October 2020 v2.2

#### 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 – Not yet determined
- 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.
Planning Division's Ecologist:	No objection subject to conditions.
Planning Division's Landscape Architect:	No objection.
Environmental Health Manager:	No objection subject to conditions.
Planning Policy Officer:	No objection.
The Coal Authority:	No objections.
Cadw:	No comments.
Natural Resources Wales (NRW):	No objection subject to conditions.
Welsh Water:	No objection subject to conditions.
Glamorgan Gwent Archaeological Trust:	No objection subject to conditions.

## PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties and six site notices were displayed within the vicinity of the site. Additionally, a notice was placed in the local newspaper.

As a result of publicity exercise undertaken, one letter has been received from Merthyr Tydfil Heritage Trust Ltd. In summary, the following comments are raised:

- The proposed restoration of the listed building is welcomed and the modern extension seems appropriate.
- The listed building must be restored to a high standard. Windows and internal glazing panels need to be carefully considered.
- The restoration of the listed building should be at the start of the development. The Lord Merthyr statue should remain in situ. There should be a garden area included in the forecourt and cars should not be able to park in front of the listed building.
- The property on the eastern side of the listed building should be deleted. Park/open space should be provided in its place. The car parking to the north of the listed building should be reduced in size so that extra garden area can be provided.
- Concern that the layout does not meet the 'place making' aspirations of the LDP.
- There is shortage of car parking spaces and an absence of play and recreation facilities. Should there be SUDS?

- There is no access to the wildlife haven for residents and it can not be accessed from Thomastown Park.
- No play equipment should be introduced to former Cholera Cemetery.
- A high standard and energy efficient methods of construction should be employed.

## POLICY CONTEXT

### National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant paragraphs are:

Paras 3.3 – 3.16 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Para 3.51 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Paras 4.1.43 – 4.1.55 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance of cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Paras 4.2.25 – 4.2.34 set out the need to have regard for the provision of affordable housing in communities and to ensure that they are accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers.

Para 6.1.10 highlights that there should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage.

Para 6.1.11 points out that for listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future.

Para 6.1.14 highlights 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.

Para 6.1.27 points out on occasions, unforeseen archaeological remains may still be discovered during the course of a development. A written scheme of investigation should consider how to react to such circumstances or it can be covered through an appropriate condition for a watching brief.

Paras 6.4.21 – 6.4.23 note that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse

environmental effects can first be avoided, mitigated or compensated. Regard should also be given to any potential impacts on protected species that may result in disturbance or harm to the species or its habitat.

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.

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

TAN 2: Planning and Affordable Housing (2006)  
TAN 5: Nature Conservation and Planning (2009)  
TAN10: Tree Preservation Orders (1997)  
TAN 11: Noise (1997)  
TAN 12: Design (2016)  
TAN 18: Transport (2007)  
TAN 23: Economic Development (2014)  
TAN 24: This Historic Environment (2017)

### 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 SW9: Planning Obligations  
Policy SW11: Sustainable Design and Placemaking  
Policy SW12: Improving the Transport Network  
Policy CW1: Historic Environment  
Policy EnW1: Nature Conservation & Ecosystem Resilience  
Policy EnW2: Internationally and Nationally Protected Sites and Species  
Policy EnW3: Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.  
Policy EnW4: Environmental Protection

The following Supplementary Planning Guidance (SPG) are also relevant:

SPG Note 1 – Affordable Housing  
SPG Note 2 – Planning Obligations  
SPG Note 4 – Sustainable Design  
SPG Note 5 – Nature and Development

## PLANNING CONSIDERATIONS

The application site lies within the settlement boundary where the majority of new development is encouraged and generally supported by Policy SW4 of the LDP. Policy SW3(21) of the LDP also allocates this brownfield site for residential development. Of the properties proposed, 44% would be affordable units which is well above the 10% required by Policy SW2 of the LDP. Therefore, in principle, the proposed development is acceptable.

Given the above, the main considerations of this application would be:

- The impact on listed buildings (and their settings) and the character and appearance of the area.
- Highway and pedestrian safety.
- The impact on residential amenity.
- The impact on ecology.

### The impact on listed buildings (and their settings) and the character and appearance of the area.

The layout of the site has been somewhat driven by its constraints which include its irregular shape, the listed buildings and their settings, the site levels and the presence of protected trees. Although it could be viewed as a constraint, the conversion (and extension) of the Listed Entrance Block and creation of an access road would enable a fantastic arrival to the wider residential site. Indeed, the demolition of the southern wing would accentuate the quality of the listed building (converted). The setting of both the Listed Entrance Block and statue would also undoubtedly be greatly enhanced by the development when compared to the current situation. The minor alterations to the access gates and railings would have a positive impact on this small part of the Thomastown Conservation Area.

The Listed Entrance Block (and attached wing) has over the years deteriorated and been harmed both externally and internally by illegal entry and damage. The building has also unfortunately attracted antisocial behaviour which has been the subject of serious concern (and objection) from local residents. This proposal would provide an essential long-term use for the building that would both secure its survival and provide it with a sound economic future. Notwithstanding this, the proposed conversion and extension must be sympathetic to the character and appearance of the building. Externally the building lends itself to be converted to apartments. Notably, although new frames and glazing would be introduced, no additional window or door openings are proposed. Furthermore, there is substantial work proposed to repair the historic features and detailing of the building. The extension to the listed building has also been carefully designed to ensure it is both subservient (in terms of its size and materials) and sympathetic. There is no doubt that it would be a vast improvement on the visual appearance of the existing southern wing which has a significant detrimental impact. It should be noted that the Listed Building application (P/20/0234), which has not yet been determined, would further examine the proposed alterations and extension on the character and appearance of this historic asset. It will also consider the demolition of the 'managers' house. The loss of this property, given its condition and the fact that Cadw has previously not considered it worthy of listing, is considered acceptable.

The 'island' of six houses to the rear of the listed building along with the shared surface road and associated landscaping (including the retention of a prominent protected tree)



ensures the setting of this part of the building is protected and, given the current conditions, significantly enhanced. The parking area for the residents of the apartments is also separated from the building by a soft landscaped area which further respects the setting.

The main straight road through the site is a consequence of the topography of the site and most importantly a desire to provide active frontages and views into, and surveillance of, the existing open space (Old Cholera Cemetery). The circular road arrangement at the northern end of the site and the small cul-de-sac at the base of the biodiversity reserve, ensure this layout design philosophy is continued throughout the development.

To reduce the visual impact and clutter of cars, parking spaces have for the most part been proposed to the sides of properties or within well overlooked and tucked away shared parking areas. In prominent locations, rear and side garden enclosures would be constructed from either reclaimed natural stone or brick. There would also be small landscaped front gardens and the SUDS areas would provide further planting and green areas.

As stated above, the design of the properties are relatively simple in their form with the flat facades consisting of vertically proportioned windows. This reflects the Georgian style of the properties in the surrounding area. Their two storey height is also consistent with the character of the surrounding area, albeit it is appreciated 3 bungalows are proposed. In terms of the external materials, natural stone and render are used on many properties in the Thomastown area. The brown clay brick is not a prevalent characteristic of the area, however, given the location of the site and proximity and density of trees there are concerns that rendered elevations would be at high risk of future discolouration due to algae growth. This is appreciated and it is considered that the proposed brick combines well with the natural stone and render. Furthermore, the site is somewhat isolated from the surrounding residential streets and as such would be able to accommodate an alternative walling material.

The layout of the site, design of the properties and impact on the listed buildings and conservation area are considered acceptable and accord with policies SW11 and CW1 of the LDP.

#### Highway and pedestrian safety.

The Transport Assessment (TA), following a survey of traffic flows on existing highways surrounding the site (as agreed with the Highways Officer) and a subsequent highway capacity analysis, concluded that the development is not anticipated to present any highway capacity or safety implications on the network surrounding the site. Indeed, the survey results indicate that the *'two way traffic flows generated by the development will be less than 1 per minute in the peak hours'*. It should also be appreciated that the site is located within an extremely sustainable location close to the town centre, bus station, train station, schools/college and a variety of other local services. As such, there is significant scope for future residents of the site to walk or utilise modes of transport other than the car to undertake their daily activities.

The main internal roads and access onto Upper Thomas Street have been designed to adoptable standards and sufficient off-street parking is provided for each residential unit. As

such, the Head of Engineering has raised no objection to the application. The proposed development therefore complies with policies SW11 and SW12 of the LDP.

### The impact on residential amenity

It should be noted that following an extensive publicity exercise, no objections have been received from surrounding neighbouring properties. The demolition of the southern wing of the listed building is somewhat beneficial to the amenity of the occupiers of Campsie House, 42, 44 and 46 Upper Thomas Street. As such the proposed dwelling (plot 15) to rear of these properties would, when compared to the existing arrangement, not result in any significant overbearing impact of loss of light. The bathroom window in the first floor side elevation would be obscure glazed (secured by a condition). The conversion of the listed building would have no additional overbearing impact on the properties in Union Place. There would also be limited overlooking to the rear garden of 5 Union Place from the first floor windows serving apartments 5 and 6. The proposed properties facing Taff Vale Court would be a sufficient distance away to prevent any overlooking or overbearing impacts. Likewise, the rear of plots 15-22 would not result in significant overlooking to 11 and 12 Union Street or 1 and 2 Primrose Cottages. Furthermore, these existing houses would not have any loss of light or overbearing impact from the proposed dwellings to the north.

Given the above, the proposal complies with Policy SW11 of the LDP.

### Ecology

As stated above, the application has been supported by reports which have assessed the impact of the development on a number of species and their habitats. In particular bats have been found to be using some of the remaining buildings on the site. Therefore before any works are carried out to these buildings a derogation license will be required from NRW. A number of mitigation/protection measures are proposed in the submitted reports along with a series of enhancements which are highlighted in the Landscape and Ecological Management Plan (LEMP). The enhancements include the provision of a number of bird and bat boxes (both on the properties and within trees), Hibernaculum's, a bat cooler tower and hedgehog access gaps in fencing. The proposed biodiversity reserve, which would cover a significant portion of the site, along with other planting and grass seeding throughout the site, would significantly enhance biodiversity. Having regard to the assessments undertaken and enhancements/mitigation measures being put forward with this application, the Council's Ecologist raises no objection to the scheme. As such, the proposal complies with policy EnW1 of the LDP.

### Other issues

The proposal would result in the loss of three protected trees (TPO). However, the Tree Survey categorises two of the trees as low quality and the other as moderate quality. Furthermore, it is considered that none of these trees, given their tucked away location (i.e. behind the existing building) provide any significant amenity value to the area. The replacement TPO trees however are proposed in prominent locations within the site which, when mature, would add significantly to the visual amenity of the area. Therefore, the felling of the TPO trees (and their replacement), in this instance, is considered acceptable.

The proposal has been assessed (Air Quality Assessment, August 2020) with regard to the air quality impact on local sensitive receptors as a result of both the construction and completion phases. The Assessment concluded that, following the implementation of mitigation measures, the impact of the construction phase on air quality would be negligible. The overall long term impacts following the completion of the development were deemed to be not significant in those areas both within and outside the Air Quality Management Area (AQMA) (note: the AQMA referred to in the Assessment is the area along Twynyrodyn Road). The Environment Health Manager has considered the submitted report and has raised no objections on air quality grounds and thus the proposal complies with Policy EnW4 of the LDP.

In terms of site contamination, the Phase I Geo-Environmental Assessment recommends that following initial testing (which suggests asbestos is not widely present at the site) a Phase II intrusive site investigation should be undertaken. This report has been considered by NRW and the Environmental Health Manager who have both requested conditions be attached to any permission requiring further investigations to be undertaken.

It is recognised that no specific public open space or recreation area has been proposed as part of this development. This matter was thoroughly assessed before the application was submitted. The only feasible location for such a play space/amenity area was on the raised plateau to the east of the site. However, the steep banking would have to be significantly engineered and retained to enable suitable pedestrian/maintenance access to this site. Given the existing constraints of the site this was simply not a viable option and in any case would result in a visually unacceptable engineered solution. Furthermore, even if this was possible, a facility would be created that would be divorced from the main residential development. As such, it would fail to integrate effectively with the development and have extremely poor surveillance. This would not only prevent children/young people using the facility (without being accompanied) but may also encourage antisocial behaviour. As highlighted in the ecology section above, it is therefore proposed to use this area as a biodiversity reserve. For the above reasons, this would not be open to the wider public or be accessed from the adjoining footpath leading from Thomastown Park. It should be noted however that the site is in close proximity of Thomastown Park and the Old Cholera Cemetery (now an open space/amenity area) which could be utilised by residents of the proposed properties. There is no proposal (as part of this application) to introduce play equipment to the Old Cholera Cemetery open space.

Finally, with regard to the comments made relating to high standard and energy efficient methods of construction, it should be noted that this is a brownfield site and there is an intention to utilise as much stone as possible from the demolished buildings. The conversion of the listed building itself is also a sustainable method of providing residential development. The applicant has also confirmed that the insulation qualities of the walls, floor, roof, windows & external doors of the properties would achieve the standards required under the building regulations. The gas boilers would also be highly efficient and the construction methods used would improve airtightness & reduce thermal bridges (i.e. prevent hot air exiting and cold air entering the properties).

### Conclusion

The proposal is welcomed as it provides much needed new housing for the County Borough on a brownfield derelict site in a highly sustainable location. It would also ensure

the long-term use and sympathetic conversion of a listed building that would secure its survival. It should also be noted that 44% of the housing would be affordable. This figure is well above the 10% required by Policy SW2 of the LDP and would provide an essential contribution to the housing needs of the immediate locality and wider area. The design of the properties, layout of the site and strategic landscaping (and biodiversity reserve) would result in a quality place that is well connected to the existing community. As such, it complies with the relevant policies of the LDP.

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**

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 Site Layout 2447-00(03)101 Rev D  
Proposed Materials Plan 2447-00(03)102  
Site Sections & Street Scenes 2447-00(03)401 Rev B  
Site Sections and Street Scenes 01 - 2447-00(03)401-1 (October 2020)  
Site Sections and Street Scenes 02 - 2447-00(03)401-2 (October 2020)  
Typical Bird & Bat Box Locations - 2447-(03)312 (October 2020)  
Proposed Southern Boundary Wall 2447-00(03)402  
Existing Front Boundary Wall Demolishing Extent Plan 2447-00(03)403  
House Type B Plans & Elevations 2447-(03)201 Rev A  
House Type C Plans & Elevations 2447-(03)202 Rev A  
House Type D Plans & Elevations 2447-(03)203 Rev A  
House Type D Plans & Elevations (Handed) 2447-(03)217  
House Type C+D Plans and Elevations 2477-(03)212  
House Type E Plans & Elevations 2447-(03)204 Rev A  
House Type E Plans & Elevations (Handed) 2447-(03)218  
House Type F Plans & Elevations 2447-(03)205 Rev C  
House Type F Plans & Elevations (Handed) 2447-(03)219 Rev A  
House Type F Semi Plans 2447-(03)214-1  
House Type F Semi Elevations 2447-(03)214-2 Rev A  
House Type G1 Plans & Elevations 2447-(03)213  
House Type G1 + G2 Plans & Elevations 2447-(03)206 Rev A  
House Type H Plans & Elevations 2447-(03)207 Rev A

House Type H Terrace Plans (Plots 68 to 70) 2447-(03)215-1  
House Type H Terrace Elevations (Plots 68 to 70) 2447-(03)215-2 Rev A  
House Type H Terrace Plans (Plots 42 to 44) 2447-(03)216-1  
House Type H Terrace Elevations (Plots 42 to 44) 2447-(03)216-2 Rev A  
House Type J Plans & Elevations 2447-(03)208 Rev A  
House Type K Plans & Elevations 2447-(03)209 Rev A  
House Type B Terrace Elevations 2447-(03)211  
Listed Building Conversion Ground Floor Plans 2447-(03)210-1 Rev C  
Listed Building Conversion First Floor Plans 2447-(03)210-2 Rev D  
Listed Building Conversion Second Floor Plans 2447-(03)210-3 Rev D  
Listed Building Ex & Proposed Roof Plans 2447-(03)210-4  
Listed Building Conversion West (Front) Elevation 2447-(03)310-1 Rev B  
Listed Building Conversion South Elevation 2447-(03)310-2 Rev A  
Listed Building Conversion East (Rear) Elevation 2447-(03)310-3 Rev B  
Listed Building Conversion North Elevation to Park 2447-(03)310-4 Rev B  
Engineering Levels Plan 2447-505 Rev A  
Green Infrastructure Plan LA.100B (11 November 2020)  
Landscape Planting 1 of 2 LA.101B (11 November 2020)  
Landscape Planting 2 of 2 LA.102B (11 November 2020)  
TPO Trees/Trees to be Removed LA.103B (11 November 2020)  
Landscape and Ecological Management Plan LEMP.200B (11 November 2020)  
Swept Path Assessment - 2447-650-1 Rev.A  
Swept Path Assessment - 2447-650-2 Rev.A

Heritage Impact Assessment (K Metcalfe Heritage) July 2020 Rev E  
Transport Assessment (Capita) - July 2020  
A Phase 1 Geo-Environmental Assessment (IDOM) - August 2020  
Tree Survey (Treescene) - March 2020  
Air Quality Assessment (GL Hearn) August 2020  
Preliminary Ecological Assessment (Barry Stewart & Associates) 29th July 2019  
Reptile Mitigation Strategy (David Clements Ecology Ltd) - October 2020 v1.1  
Bat Survey Report (David Clements Ecology Ltd) - October 2020 v2.2

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

3. The proposed residential units (highlighted 'Social Rent' on approved drawing 2447-00(03)101 Rev D) shall only be used for affordable housing purposes in accordance with the definition of affordable housing as set out in paragraphs 5.1 and 5.2 of Technical Advice Note (TAN) 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The residential units shall be affordable for both the first and subsequent occupiers.

**Reason** - To ensure the residential properties are only used for affordable housing in accordance with Policy SW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. Prior to the occupation of the 30th residential unit, the listed building (and approved extension thereto) shall be completed in accordance with the plans hereby approved.

**Reason** - To enhance the architectural quality of the historic asset and to create good quality townscape in accordance with Policies SW11 and CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. Prior to the occupation of the 35th residential unit, the biodiversity reserve (and embankment thereto) shown on drawing 2447-00(03)101 Rev D shall be completed in accordance with the approved Landscape and Ecological Management Plan (LEMP.200 dated 11 November 2020). The completed scheme shall be managed and maintained thereafter in accordance with the approved Landscape and Ecological Management Plan (LEMP.200 dated 11 November 2020).

**Reason** - In the interests of biodiversity and visual amenity in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. Prior to the commencement of development of the biodiversity reserve (and embankment thereto), details of the bat cool tower shall be submitted to and approved in writing by the local planning authority. The bat cool tower shall be constructed in accordance with the approved details before the biodiversity reserve is completed.

**Reason** - In the interests of biodiversity in accordance with Policy EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. All planting and seeding comprised in the approved details of landscaping (Landscape Planting 1 of 2 LA.101B - 11th November 2020 and 2 of 2 LA.102B - 11th November 2020 and TPO trees/trees to be removed LA.103B - 11th November 2020) shall be carried out in the first planting and seeding seasons following the completion of the development; and any trees or plants which within a period of 5 years from the completion of development become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The completed scheme shall be managed and maintained in accordance with the approved details.

**Reason** - In the interests of biodiversity and visual amenity in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **Prior to the commencement of any residential unit**, a sample of the external walling materials (Pennant stone, render and clay brick) together with details of the coursing and pointing to be used shall be submitted to and approved in writing by the Local Planning Authority and such details shall be demonstrated by the prior construction of a sample panel. The development shall be completed in accordance with the approved materials.

**Reason** - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

9. **Prior to the commencement of any residential unit**, hereby approved, samples of the roofing slate to be used in the construction of the properties shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. **Prior to the commencement of any residential unit**, hereby approved, details (elevation and materials) of the front garden boundary enclosures (steel railings on reclaimed stone dwarf wall) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason** - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. **Prior to the commencement of any residential unit** full details (elevation and materials) of the boundary treatment to the front access (as indicated on drawing 2447-00(03)403) shall be submitted to and approved in writing by Local Planning Authority. The development shall be completed in accordance with the approved details.

**Reason** - To conserve and enhance the character and appearance of the conservation area in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. **Prior to the commencement of development**, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- (a) All previous uses
- (b) Potential contaminants associated with those uses
- (c) A conceptual model of the site indicating sources, pathways and receptors
- (d) Potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. Based on the site investigation results and the detailed risk assessment (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be carried out in accordance with the approved details.

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

13. **Prior to occupation of any residential unit**, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

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

14. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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

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.

**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.

16. Before the occupation of plot 15 (as indicated on drawing No. 2447-00(03)101 Rev D) the window in the first floor side elevation shall be fitted with obscure glazing, details of which shall first be submitted to and agreed in writing by the local planning authority and any part of the window that is less than 1.7m above the floor of the



room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

**Reason** - In the interest of residential amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

17. Prior to its installation, full details of street lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan shall include:
- Details of the siting and type of lighting to be used.
  - Drawings setting out light spillage.

The lighting shall only be installed in accordance with the approved details.

**Reason** - To limit the impact on protected species and reduce light pollution in accordance with policies EnW2 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

18. 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** - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

19. **No development shall commence**, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays;
- v) wheel washing facilities; and
- vi) measures to control the emission of dust and dirt during demolition and construction.
- vii) External lighting

**Reason** - In the interest of residential, visual amenity, highway safety and biodiversity in accordance with Policies SW11, EnW4 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

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.

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

21. Notwithstanding the provisions of schedule 2, part 1, class b of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no roof extensions shall be erected other than those expressly authorised by this permission.

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

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls (other than those hereby permitted) shall be erected within the curtilage of any dwelling house forward of the principle elevation or side elevation adjoining a highway of that dwelling house.

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

23. **No works to which this permission relates shall commence** until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

**Reason** - To preserve the buildings by record in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

24. **No development shall take place** until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work 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 in accordance with Policy CW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

25. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Reason** - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

## INFORMATIVES

1. Works must not start on the conversion of the listed building until listed building consent has first been granted and any relevant pre-commencement conditions attached to the consent discharged.
2. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales (NRW) on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-specieslicensing/european-protected-species-licensing/information-on-european-protectedspecies-licensing/?lang=en>.
3. The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed operations are clear. If in doubt, NRW should be contacted for advice at an early stage to avoid any delays.

NRW recommend that developers should refer to their:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at: [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk) for further guidance.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes: - Duty of Care Regulations 1991 - Hazardous Waste (England and Wales) Regulations 2005 - Environmental Permitting (England and Wales) Regulations 2010.