

INTERNAL MEMORANDUM

To: Caroline Pulley - Development Management Case Officer

Reference: P/22/0074

From: Planning Policy and Implementation Section

Please ask for: Natasha Lade

Extension: 6220

Date: 31st March 2022

Policy observations in respect of the request for advice on planning application number P/22/0074 at T M Few & Son, Unit G, Maesgwynne Industrial Estate, Cefn Coed Merthyr Tydfil, CF48 2SD.

1. Proposed Development

The application submitted is for the demolition of an auto repair body shop (B2) and the erection of two warehouses (B8) with offices (B1) above at T M Few & Sons, Unit G, Maesgwynne Industrial Estate, Cefn Coed-y- Cymmer, Merthyr Tydfil.

2. Development Plan Framework

National Planning Policy

Future Wales – The National Plan 2040

Future Wales – The National Plan 2040 is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system. Matters relevant to this application include:

Economy – page 34, Broadband – page 40, Transport Infrastructure – page 42, and the regions – pages 133, 160, 167 & 175.

Planning Policy Wales (Edition 11, February 2021)

Planning Policy Wales provides guidance on matters relevant to this application, namely:

- Strategic & Spatial Choices: Good Design Making Better Places (paragraphs 3.5-15); Promoting Healthier Places (paragraphs 3.19 - 23) and Previously Developed Land (paragraph 3.51).

- Active and Social Places: Sustainable Transport (paragraph 4.1.10) and Car Parking (Paragraph 4.1.51).
- Productive and Enterprising Places: Economic Development (Paragraphs 5.4 2 & 18), Sustainable Buildings (Paragraphs 5.8.1 -6).
- Distinctive and Natural Places: Integrating Green Infrastructure and Development (Paragraph 6.2.4 & 5); Landscape (paragraph 6.3.11 & 12); Maintaining and Enhancing Biodiversity (paragraph 6.4.5 – 14, 20 - 26), and Framework for Addressing Air Quality and Soundscape (Paragraphs 6.7.6-8, 14 & 26).

Technical Advice Note TAN 18: Transport (March 2007).

Technical Advice Note 12: Design (March 2016).

Technical Advice Note 23: Economic Development (February 2014).

Technical Advice Note 24: Historic Environment (May 2017)

Local Planning Policy Framework

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

The relevant LDP Objectives are -

- *LDP Objective 4 - Regeneration: To promote the suitable reuse of previously developed land and the continued regeneration of local communities.*
- *LDP Objective 6: To promote high quality, sustainable and inclusive design and support measures, which mitigate the predicted effects of climate, change.*
- *LDP Objective 7: To support an integrated transport system, promote active travel and ensure new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 9 - Heritage and cultural assets: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 10: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 11: To protect and enhance the character and appearance of the landscape and countryside.*
- *LDP Objective 12 - Economic Development: To provide and safeguard appropriate land for economic and skills development.*
- *LDP Objective 18: To promote the efficient use of resources and ensure an integrated network of waste management facilities.*

The following local development plan policies would apply: -

- *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 and Ecosystem Resilience.*
- *Policy EnW4: Environmental Protection.*
- *Policy EnW5: Landscape Protection and*
- *Policy EcW2: Protecting Employment Sites.*

The following Supplementary Planning Guidance is also applicable: -

- *Merthyr Tydfil Local Development Plan - Supplementary Planning Guidance Note 4: Sustainable Design (July 2013).*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015)*

3. Policy Considerations

The Council formally adopted The Merthyr Tydfil County Borough Council Replacement Local Development Plan (RLDP) (2016 - 2031) in January 2020. This Policy advice therefore considers the development proposal against the policies contained within it.

The application site is located adjacent to the residential area of Cefn Coed, which lies within the *Primary Growth Area* settlement boundary, where Policy SW4 applies. Here new development is considered acceptable in principle; subject to the proposal, being compatible with the Plan's other policies and all other material considerations.

Policy EcW2 seeks to protect the County Borough's employment and business sites. Outside identified sites development proposals resulting in the loss of B-Class uses is subject to certain criteria. However, given that, the proposals are for other B class uses considered acceptable in these areas the proposals are therefore considered acceptable in principle; subject to the proposals, being compatible with the Plan's other policies and all other material considerations.

Firstly, given that residential development is within proximity to the application property, Policy SW11 is applicable. This policy advises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. It states that where appropriate, new development will be required, amongst other things, to:

- be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density.
- integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape.
- not result in an unacceptable impact on local amenity, loss of light or privacy, or visual impact, and incorporate a good standard of landscape design.
- allow access for the widest range of people possible and demonstrate that any traffic movements will not have an unacceptable impact on local amenity or highway safety and satisfy the Council's parking standards.

- minimise the demand for energy and utilise renewable energy resources.
- provide adequate facilities and space for waste collections and recycling and
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

PPW also states that the 'agent of change principle' requires that a business or person responsible for introducing a change is responsible for managing that change and any related impacts on, for example, the amenity of an existing use. In practice, this means the developer will need to implement solutions to address air quality and or noise to ensure that the development is acceptable.

Moreover, Policy EnW4 states that development proposals will be required to demonstrate that they would not result in an unacceptable impact on people, residential amenity, property, and / or the natural environment from either:

- Pollution of land, surface water, ground water and the air.
- Land contamination.
- Hazardous substances.
- Land stability.
- Noise, vibration, dust, odour nuisance and light pollution; or
- Any other identified risk to public health and safety.

To this end, the views of the Public Health Officer are relevant. The applicant should be required to demonstrate that they could incorporate appropriate measures to reduce, or minimise any impacts identified to the lowest possible acceptable level. Planning conditions may also be imposed, or legal obligation requested to secure any necessary mitigation and monitoring processes both during and post construction.

In addition, the application sites lies adjacent to the Nant Morlais & Cwm Taf Fechan Special landscape Area with very mature vegetation on site and as such, Policy EnW5 is applicable. This policy seeks to protect that landscape of the County Borough Council stating that development will only be permitted amongst other things where it would not cause unacceptable harm to the character and quality of the landscape setting of the County Borough. In this case, the views of the Council's Landscape Architect should be sought.

Furthermore, given the proximity of mature green infrastructure, Policy EnW1 is also applicable. This Policy seeks to promote the resilience of ecosystems and in particular, proposals are required to maintain and enhance biodiversity interest. Given this the views of the Council's Ecologist is relevant.

Policy SW12 recognises the Transport Hierarchy as outlined in PPW11 that supports development that encourages a modal shift towards sustainable transport and therefore development proposals should demonstrate how they intend to reduce the need to travel and encourage the use of sustainable transport. Given the proposed businesses include car parking the views of the Highways and Drainage Engineer are pertinent.

Finally, Policy SW9 considers the requirement for planning obligations, in accordance with this Policy no obligations are sought on this development, and Community Infrastructure Levy (CIL) is not chargeable on this use.