

INTERNAL MEMORANDUM

To: Caroline Pulley - Development Management Case Officer
From: Planning Policy
Please ask for: Natasha Lade
Ext.: 6220

Date: 11th November 2021

Ref: P/21/0376

Observations in respect of the request for policy advice on planning application no. P/21/0376 at former Mountain Ash Inn, 101 Gilfach-Cynon, Twynyrodyn, Merthyr Tydfil, CF47 0PD.

1. Proposed Development

The application submitted is for the change of use of vacant ground floor from a public house (A3) to a beauty salon (Sui Generis use) at Mountain Ash Inn, Gilfach-Cynon Twynyrodyn, 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:

Matters relevant to this application include Economy – page 34, Broadband – page 40, Transport Infrastructure – page 42.

Planning Policy Wales (Edition 11, February 2021).

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

- Strategic & Spatial Choices: Accessibility and Inclusive Design (paragraphs 3.5, 9, 10, 12, 13 & 16) & Promoting Healthier Places (paragraph 3.19).
- Active and Social Places: Sustainable Transport (paragraphs 4.1.10, 12, 15), Car Parking (paragraph 4.1.51 & 54), Retail and Commercial Development.
- Distinctive and Natural Places: The Historic Environment (paragraphs 6.1.21 & 29), Air Quality and Soundscape (paragraphs 6.7.5, 6, 7, 14, & 24) & Lighting (paragraph 6.8.4).

Technical Advice Note TAN 18: Transport (March 2007)

Technical Advice Note 4: Retail and Commercial Development (November 2016)

Technical Advice Note 12 Design (March 2016)

Local Planning Policy

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 5 - Infrastructure: To ensure that community infrastructure and open space supports the regeneration of local communities.*
- *LDP Objective 6 - Sustainable Design: To promote high quality, sustainable and inclusive design and support measures, which mitigate the predicted effects of climate, change.*
- *LDP Objective 7 - Transport: To support an integrated transport system, promote active travel and ensure that new developments are accessible by walking, cycling and public transport links.*
- *LDP Objective 8 - Community Facilities: To support existing community facilities and suitable community led development.*
- *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 and*

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 SW13: Protecting and Improving Local Community Facilities.*
- *Policy CW1: Historic Environment.*
- *Policy EnW4: Environmental Protection.*

The following Supplementary Planning Guidance is also applicable: -

- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 2: Planning Obligations (March 2012).*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 4: Sustainable Design (July 2013).*

3. Policy Considerations

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

The application property comprises the vacant Mountain Ash Inn, sitting within the Twynyrodyn residential area, lying within the Primary Growth Area and settlement boundary where Policy SW4 applies. Here new development can be considered acceptable in principle subject to proposals being compatible with the Plan's other policies and all other material considerations.

Policy SW13 supports the provision of new and enhanced community facilities and the enhancement of existing community facilities, subject to satisfying other relevant LDP policies. However, development proposals that would result in a loss of an existing community facility will only be permitted where:-

- alternative provision of at least equivalent value to the local community can be provided nearby, or
- it can be demonstrated that existing provision is inappropriate or surplus to the needs of the community and is no longer required, or
- it can be demonstrated there is no longer a viable community use for the facility.

Given that the ground floor has been vacant for four years, it is considered that the existing provision is inappropriate or surplus to the needs of the community and is no longer required, and therefore the proposal satisfies this criterion. In addition, a beauty salon can be categorised as an alternative and or viable community use that fulfils a role of serving the community. In this case the proposal is in accordance with this Policy.

The application property also lies within the Twynyrodyn, including Ysgubor Newydd and Penyrheol Urban Character Area and the Merthyr Tydfil Landscape of Outstanding Historic Interest. Accordingly, Policy CW1 is relevant, which aims amongst other things, to support localised management initiatives, regeneration and conservation schemes in relation to urban character areas and appropriately inform the process of change with regard to historic landscapes.

Additionally, Policy SW11 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, elevation 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.

- contribute to the provision of green infrastructure, including open space in accordance with the Council's standards, sustainable drainage systems where appropriate, and ensure that the County Borough's network of green infrastructure is accessible and connected.
- 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.
- Incorporate resource efficient/adaptable buildings and layouts using sustainable design and construction techniques.
- minimise the demand for energy and utilise renewable energy resources.
- provide and protect utility services and infrastructure without causing any unacceptable environmental impacts.
- incorporate measures to improve ground and surface water quality wherever possible.
- 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.

Policy SW12 recognises the Transport Hierarchy as outlined in PPW11, which supports development that encourages a modal shift towards sustainable transport and therefore development proposals should demonstrate how they will reduce the need to travel and encourage the use of sustainable transport. Given that, two car parking spaces will be retained, it would be prudent to seek the views of the Highways and Drainage Engineer.

Finally, 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 should be sought. Where impacts are identified the applicant should be required to demonstrate that appropriate measures can be incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed, or legal obligation requested to secure any necessary mitigation and monitoring processes both during and post construction.