

INTERNAL MEMORANDUM

To: Caroline Pulley - Development Management Case Officer

Reference: P/20/0222

From: Planning Policy and Implementation Section

Please ask for: Natasha Lade

Extension: 6220

Date: 6th October 2020

Policy observations in respect of the request for advice on planning application number P/20/0222 – at Castle View Stores, Castle Park, Winchfawr Road/Beacons Court, Twyn Carmel, Merthyr Tydfil CF48 1PE.

1. Proposed Development

The application submitted is for the change of use from garage to hot food takeaway to include new rear single storey extension at Castle View Stores, Winchfawr Road/Beacons Court, Twyn Carmel, Merthyr Tydfil.

2. Development Plan Framework

National Planning Policy

Planning Policy Wales (Edition 10, December 2018)

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

- Strategic & Spatial Choices: Access and Inclusivity (Paragraph 3.5 – 11).
- Active and Social Places: Sustainable Transport (Paragraphs 4.1.9 & 10) Community Facilities (Paragraphs 4.4.1 & 2) & Retail and Commercial Development (Paragraphs 4.3.18–21
- Productive and Enterprising Places: Sustainable Buildings (Paragraphs 5.8.1).
- Distinctive and Natural Places: The Historic Environment (Paragraphs 6.1.29), Development and Flood Risk (Paragraph 6.6.27); Air Quality and Soundscape (Paragraphs 6.7.7-8, 14 & 26) and Lighting Paragraph (6.8.4).

Technical Advice Note TAN 18: Transport (March 2007)

Technical Advice Note 12 Design (March 2016)

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

Local Planning Policy Framework

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

The relevant LDP Objectives are -

- *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 8: To support existing community facilities and suitable community led development.*
- *LDP Objective 9: To protect, enhance and promote all heritage, historic and cultural assets.*
- *LDP Objective 14: To develop town and local centres as accessible, attractive, viable and vibrant places.*
- *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 SW11: Sustainable Design and Placemaking.*
- *Policy SW12: Improving the Transport Network.*
- *Policy SW13: Protecting and Improving Local community Facilities.*
- *Policy CW1: The Historic Environment.*
- *Policy EcW3: Retail Hierarchy – Supporting Retailing Provision*
- *Policy EcW6: Out-of-Town Retailing areas and*
- *Policy EnW4: Environmental Protection.*

The following Supplementary Planning Guidance and other 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 3 Shopfront Design Guide** (May 2013).
- **Merthyr Tydfil: Understanding Urban Character** – Cadw 2015

3. Policy Considerations

The Council has formally adopted the Merthyr Tydfil County Borough Council Replacement Local Development Plan (2016 - 2031). The proposal is therefore considered against the policies contained within it.

The application site is located within proximity of the residential area of Twyn Carmel, Clwydyfagwyr, 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 SW13, amongst other things, relates to the protection and support of existing local community facilities. Given that, the application property is an extension to an existing operational corner shop/convenience store (albeit through a complementary A3 use) this policy is applicable. It supports the provision of enhanced community facilities, which include facilities that serve the local community, subject to satisfying other relevant LDP policies.

Given that, the proposal is for a complementary commercial use outside of established town and local centres Policy EcW3 is also relevant. This policy dictates that such proposals should be subject to an assessment of need and a strict application of the sequential test, proportionate to the extent of the development.

In addition, proposals are only then permitted where they avoid causing harm to town/local centre viability. This approach is supported by Policy EcW6, which amongst other things, requires proposals to demonstrate that they would not have an unacceptable impact on the trade, turnover, vitality and viability of the town and local centres. It should be noted, however; that the nearest retail centre is the Brecon Road/Morganstown local centre situated approximately two miles or a 45-minute walk or five-minute drive away and given the scale of the development the proposal is unlikely to have a detrimental impact here or on the Town Centre.

Finally, If the applicant is able to successfully justify the need for the proposal in this location and the Council is minded to approve the application then regard should also be had to the following:

Policy SW11 which 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.
- 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 that recognises the Transport Hierarchy as outlined in PPW10 and 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 that the proposal would result in the loss of a garage the views of the Highways and Drainage Engineer are of relevance.

Policy CW1 is also relevant, given that the site lies within the West Merthyr (including Heolgerrig and Gellideg) Urban Character Area (UCA9) and the Merthyr Tydfil Landscape of Historic Interest in Wales. Accordingly, and the views of the Conservation Officer are applicable.

Policy EnW4 which 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.