

INTERNAL MEMORANDUM

To: Rebecca Owens - Development Management Case Officer

Reference: P/20/0281

From: Planning Policy and Implementation Section

Please ask for: Natasha Lade

Extension: 6220

Date: 3rd December 2020

Policy observations in respect of the request for advice on planning application number P/20/0281 – at 1 Vulcan Buildings, Brecon Road, Merthyr Tydfil CF47 8NH.

1. Proposed Development

The application submitted is for the change of use of a residential property to a food takeaway on the ground floor; 1 one-bedroom flat to the lower ground floor; 1 two-bedroom flat to first floor and 1 one-bedroom flat to second floor. Also included is a three-storey rear extension and external alterations including the installation of a flue, together with conversion of the rear garage to a 1-bedroom residential unit at 1 Vulcan Buildings, Brecon Road, 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) & Retail and Commercial Development (Paragraphs 4.3.30 & 34).
- Productive and Enterprising Places: Sustainable Buildings (Paragraphs 5.8.1 - 3).
- Distinctive and Natural Places: The Historic Environment (Paragraphs 6.1.29), 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).

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 1: To encourage a sustainable level and distribution of population growth.*
- *LDP Objective 3: To ensure the sufficient provision of land for the delivery of a range and choice of housing and affordable housing to address local housing needs.*
- *LDP Objective 4: 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: 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 CW1: The Historic Environment.*
- *Policy EcW3: Retail Hierarchy – Supporting Retailing Provision.*
- *Policy EcW5: Town and Local Centre Development.*
- *Policy EnW4: Environmental Protection.*

The following Supplementary Planning Guidance and other guidance is also applicable: -

- **Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 1: Affordable Housing (March 2012).**
- **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).**
- **Merthyr Tydfil Local Development Plan - Supplementary Planning Guidance Note 3 Shopfront Design Guide (May 2013).**
- **Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015).**
- **Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 6: A Design Guide for Householder Development (September 2015).**
- **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 property lies within the Brecon Road/Morgantown Local Centre, 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.

Given that, the property lies within the Brecon Road/ Morgantown Policy EcW3 is relevant. This policy supports proposals for new and enhanced retail, leisure and other complementary provision, which includes A3 uses, in the Town and Local Centres where they improve the vitality and viability of the centre concerned. Policy EcW5, which supports development that enhances the vitality and viability of Local Centres, reinforces this. The application property lies at the end of a terrace of commercial uses and therefore the change of use from residential to an A3 takeaway on the ground floor is acceptable in principle.

However, the application property also lies adjacent and opposite residential units and regard should therefore be had to 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.

Policy SW9 relates to Planning Obligations however, given that the proposal is for 4 residential units on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. However, Community Infrastructure Levy (CIL) is chargeable on residential development in this part of the County Borough.

The application property also lies within the Morganstown Conservation Area, the Williamstown, Cae Pant Tywill and Morganstown Urban Character Area (UCA6) and the Merthyr Tydfil Landscape of Outstanding Historic Interest. Accordingly, Policy CW1 is relevant, which aims amongst other things, to preserve or enhance the character and appearance of conservation areas, support localized management initiatives, regeneration and conservation schemes in relation to urban character areas and appropriately inform the process of change with regard to historic landscapes. To this end, the views of the Conservation Officer are pertinent.

Policy SW11 also 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.

Finally, 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 and there appears to be no off street parking provision the views of the Highways and Drainage Engineer are of relevance.