

DELEGATED REPORT

Application No:	P/24/0233
Site Address:	Parcel Of Land At The Incline Between Taff Glen View Highland Close Glasier Road And Ann's Close Twynyrodyn Merthyr Tydfil
Development:	Construction of a wetland, diversion of a surface water culvert to feed wetland and landscaping
Case Officer:	Rebecca Owens
Site Visit:	23rd October 2024
Application Expiry Date:	4th December 2024
Consultation reply date expired:	13th November 2024

APPLICATION SITE

The application relates to a parcel of undeveloped land which forms part of a wider designated open space within the Local Development Plan. It is located in a mainly residential area and the open space is largely bound by dwellings.

PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of a wetland, diversion of a surface water culvert to feed the wetland and thus reduce peak overloading on the existing and associated landscaping.

The proposal comprises of two wetland basins which would be formed by re-profiling the land (involving excavation and the creation of graded embankments). The water level would vary at any given time but one basin would have a permanent water level 600mm deep while the other would be 900mm deep. The first shallower basin would be fed via a diversion from the existing culvert directing exceedance flows to a gabion basket inlet with cobbles for erosion control. This basin would then be connected to the other deeper basin by a cobbled channel which would provide overflow from one to the other. Where this crossed the existing right of way path there would be a concrete box culvert with the pathway reinstated above and steel tube railing either side. From this basin there would be a overflow weir with cobble cascade to an existing culvert intake pit. This intake pit would also be enclosed with steel tube railing. There would also be an outlet head wall at the maximum permanent water depth (900mm) which would connect back to the existing culvert. A landscaping scheme has also been submitted with details of planting around the basins.

PLANNING HISTORY

The relevant planning history is summarised below:

- P/23/0200 Construction of footpaths within existing public open space
Granted planning permission on 18th October 2023
- P/17/0328 Engineering operation to provide a new surfaced footpath and replacement
of damaged gates and fence
Granted planning permission on 21st December 2017

CONSULTATION

The following bodies were consulted and their responses are presented below:

Head Engineering and Highways	No objection
Estates Division	No response
Planning Policy Officer	No objection
Planning Ecologist	No objection but some amendments/additional information requested
Environmental Health Manager	No objection subject conditions
The Coal Authority	No objection

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, six site notices were displayed within the vicinity of the site.

No letters of objection were received following this publicity exercise.

POLICY CONTEXT

National Development Framework

Future Wales: the National Plan 2040 (February 2021) sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

National Planning Policies

Planning Policy Wales (Edition 12, February 2024)

Local Planning Policies

The following policies of the Merthyr Tydfil County Borough Council Replacement Local Development Plan 2016-2031 are relevant to the determination of this application:

- SW4 Settlement Boundaries
- SW10 Protecting and Improving Open Spaces
- SW11 Sustainable Design and Placemaking
- SW12 Improving the Transport Network
- CW1 Historic Environment
- EnW1 Nature Conservation and Ecosystem Resilience

- EnW2 Internationally and Nationally Protected Sites and Species
- EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species
- EnW4 Environmental Protection
- EcW7 Tourism, Leisure and Recreation Development

In addition, the application will be determined having regard to the advice contained within the following Supplementary Planning Guidance (SPG) Notes:

- Note 4, Sustainable Design.
- Note 5, Nature and Development.

PLANNING CONSIDERATIONS

Principle

The application site is located within the primary growth area of the LDP and within the settlement boundary. As such the principal of development is acceptable subject other relevant policies and material planning considerations.

In this respect it is noted that the application site is located within an area designated as open space by the LDP, of which Policy SW10 is relevant. This policy supports development that improve the quality, quantity or access to open space. As this proposal would introduce a wetland habitat to the area it is considered that it would result in an improvement to the quality of the greenspace and thus would be in line with Policy SW10.

Character and visual amenities

The proposed wetland would be constructed in an area of open space comprised mainly of semi-improved grassland with mature trees and areas of scrub. It would introduce a wetland area and thus an attractive additional feature which would also create a new habitat to the area and improve biodiversity. As such it is considered that the proposed works would improve the overall character and appearance of the open space. Moreover, there would be no adverse impact on the visual amenities of the wider area which forms part of Urban Character Areas 3 and 4 and is within a Landscape of Historic Interest. The proposal would therefore accord with Policies SW11 and CW1 of the LDP.

Residential amenity

Given the nature of the works proposed and its distance from the nearest dwelling there would be no additional adverse impact on the residential amenities of the surrounding occupants. As such the development would not contravene Policy SW11 of the LDP with respect to residential amenity. However, given that the site is surrounded by dwellings it is suggested that a condition restricting the hours of work is applied to any permission issued to ensure there is no noise and disturbance at unsociable hours.

Land stability

A small part of the application site falls within an area identified as being at high risk from past coal mining activities. A geotechnical and Geoenvironmental Report was submitted with the application which recommends intrusive site investigation works. However, when considering the proposal and having regard to fact that no built development is proposed within the high risk area the Coal Authority do not consider that it would be reasonable to impose such investigations by way of a planning condition and do not object to the application.

Ecology

The application has been supported by a Preliminary Ecological Appraisal which has identified the habitats within the site as comprising of dense scrub, semi-improved neutral grassland, scatter small broadleaf trees and a hedgerow with trees. Whilst the hedgerow was deemed to be of high local value the remaining habitats were considered to be of no greater than local values for wildlife. It also identified that there could be an impact on nesting birds, commuting/foraging bats, hibernating hedgehogs and common reptiles such as slow worm. Suitable recommendations were made to mitigate against this. The application has also been accompanied by a Green Infrastructure Statement which sets out the proposed green infrastructure and net benefits for biodiversity which would include the creation of new aquatic, marginal and damp habitat and the provision of bat and bird boxes. However, it is also noted that the landscaping scheme includes a variety of planting including trees and hedgerow, this would also provide a benefit. It is recognised that the Local Planning Authority's Ecologist has asked for some minor amendments and additional information but it is considered that the submitted documents have demonstrated that adequate mitigation can be provided and that a net benefit to biodiversity would be achieved. It would therefore not be proportionate to request this. Accordingly, the proposed development would comply with LDP Policy EnW1.

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:

Drawing Title: General Arrangement and Drainage Layout, Drawing Number: P5001036-MTD-DR-003 Rev P01, Received 9 October 2024.

Drawing Title: Basin Sections, Drawing Number: P5001036-MTD-DR-004, Received 9 October 2024.

Drawing Title: Schematic Section, Drawing Number: P5001036-MTD-DR-005, Received 9 October 2024.

Drawing Title: Drainage Details, Drawing Number: P5001036-MTD-DR-006, Received 9 October 2024.

Drawing Title: Landscape Proposals, Drawing Number: 792.01, Received 9 October 2024.

Drawing Title: Bat and Bird Box Locations, Drawing Number: 792.05, Received 24 December 2024.

Preliminary Ecological Assessment dated August 2024, produced by David Clement s Ecology Ltd, Received 9 October 2024

Green Infrastructure Statement V.3 dated January 2025, Received 23 January 2025

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

3. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing Number: 792.01) 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 the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

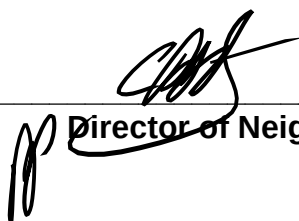
4. **WITHIN THREE MONTHS** of the completion of the basins hereby approved, the bat and bird boxes shall be provided in accordance with the approved documents outlined in condition 2 including drawing number 792.05, and these shall be retained in perpetuity thereafter.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. Site clearance or construction works shall not take place outside the hours of 08:00 to 16:00 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.

RECOMMENDATION ENDORSED


Director of Neighbourhood Services

DATE: 27.01.2025