

INTERNAL MEMORANDUM

To: Rebecca Owens - Development Control Case Officer

Reference: P/23/0077

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 12th April 2023

Summary

No objection. The development complies with policies SW4, EcW2 and EcW8.

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the area in terms of visual amenity, the impact on surrounding occupiers, the impact on relevant heritage assets, and any other relevant risks to public health and safety (Policies SW11, SW12, CW1 & EnW4).

Observations in respect of the above proposal

1. Proposed Development

Application for the installation of 45 solar panels (ground mounted and to the roof of existing storage containers) at Supac Limited, Unit 3, Goat Mill Road, Dowlais, Merthyr Tydfil.

2. Development Plan Framework

The existing development plan framework in Merthyr Tydfil is provided by:-

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

The relevant LDP Objectives are:-

- *LDP Objective 1 Sustainable Population Growth: To encourage a sustainable level and distribution of population growth.*
- *LDP Objective 2 Welsh Language and Culture: To protect and enhance Welsh language and culture.*
- *LDP Objective 4 Regeneration: To promote the suitable reuse of previously developed land and the continued 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 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 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 12 Economic Development: To provide and safeguard appropriate land for economic and skills development.*
- *LDP Objective 16 Renewable Energy: To promote renewable and low carbon energy.*

The following 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 EcW2: Protected Employment Sites*
- *Policy EcW8: Renewable Energy*
- *Policy EcW9: District Heating*

The following supplementary planning guidance is applicable:-

- *SPG2: Planning Obligations*
- *SPG4: Sustainable Design*

National Planning Policy

Planning Policy Wales (Edition 11, February 2021)

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

- Placemaking in Action: Good Design Making Better Places
- Strategic Placemaking: Previously Developed Land
- Economic Infrastructure: Economic Development
- Energy
- Recognising the Special Characteristics of Places

Future Wales: The National Plan 2040 (February 2021)

Future Wales provides guidance on matters relevant to this application, including, but not limited to:

- Policy 1: Where Wales will grow
- Policy 2: Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 17 – Renewable and Low Carbon Energy and Associated Infrastructure
- Policy 33: National Growth Area – Cardiff, Newport and the Valleys

3. Policy Considerations

The application site is a vacant site within the Goat Mill Road Industrial Estate, Merthyr Tydfil (Policy EcW2). The site is located within the Primary Growth Area and settlement boundary where new development can be considered acceptable in principle (LDP Policy SW4) subject

to proposals being compatible with the Plan's other policies and all other material considerations.

Policy SW9 considers the requirement for planning obligations. Due to the nature of the development, Community Infrastructure Levy (CIL) and Planning Obligations would not be chargeable.

Policy SW11 advises that development must contribute to the creation of attractive and sustainable places through high quality, sustainable and inclusive design. Where appropriate, new development will be required to (amongst other things):

1. be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
2. integrate effectively with adjacent spaces, the public realm and historic environment to enhance the general street scene and create good quality townscape;
3. 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;
4. minimise the demand for energy and utilise renewable energy resources;
5. provide and protect relevant utility services and infrastructure without causing any unacceptable environmental impacts;

Considering the nature of the development and the location of the site (in close proximity to existing industrial and commercial uses) particular consideration should be given to the impact of the development in terms of the above criteria, and on the surrounding and occupiers. As such, the views of the Council's Environmental Health department and the Engineering and Traffic Group Leader should be sought where appropriate.

Policy SW12 supports development that encourages a modal shift towards sustainable transport, including the enhancement of pedestrian, cycle, rail and bus facilities, in addition to any necessary road improvements. Developments will be expected to demonstrate how they reduce the need to travel and encourage the use of sustainable transport. As such, the views of the Engineering and Traffic Group Leader should be sought in this respect.

Policy CW1 advises that the integrity of our historic environment assets will be conserved and enhanced. Development proposals will only be permitted where it can be demonstrated they would preserve or enhance the architectural quality, character or the historic or cultural importance of our designated historic environment assets. And that, development affecting undesignated historic environment assets including, Locally Listed Buildings or structures, Landscapes of Outstanding Historic Interest in Wales, Urban Character Areas (UCA) and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The application site is within an Archaeologically Sensitive Area (Dowlais Ironworks; Supporting Infrastructure; Dowlais Gas), and within a Landscape of Outstanding Historic Interest in Wales. As such, these historic environment assets should be taken into consideration, and the views of the relevant Office, and/or external Heritage body, sought in this regard.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. The views of the Council's Ecologist should be sought, if appropriate.

Policy EnW4 advises that development proposals will be required to demonstrate they will 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.

Where impacts are identified the Council will require applicants to demonstrate that appropriate measures have been incorporated to reduce, or minimise the impact identified to the lowest possible acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes.

The development would intensify existing industrial and commercial use, within a commercial area. This may result in an increased impact, for example in terms of noise. Policy Enw4 seeks to protect against negative environmental impacts and, as such, the Environmental Health department should be consulted.

Policy EcW2 advises that, at Pengarnddu, Pant Industrial Estate, Goatmill Road, EFI Industrial Estate, Cyfarthfa Industrial Estate, Triangle Business Park, Merthyr Tydfil Industrial Park, The Willows/ Abercanaid Industrial Estate, and at allocated employment sites, development will be permitted if:

- It is within Use Classes B1(b), B1(c), B2 or B8; or
- It provides an ancillary facility or service that supports the primary employment use, or
- It is an acceptable complementary commercial service outside class B uses, or
- It is an appropriate waste management facility compatible with existing industrial and commercial activities.

The site is located within the existing employment site boundary for Goat Mill Road. Given the nature of the development (renewable energy), it is considered that it supports the existing use of the application site and would not undermine the role and characteristics of the wider employment site. It would therefore comply with Policy EcW2.

Policy EcW8 states that the LPA will support the use of renewable energy as a tangible means of reducing our local carbon footprint, where appropriate to do so. Development proposals for renewable energy will be permitted where:

- They do not have an unacceptable landscape and visual impact, including on the setting of the Brecon Beacons National Park.
- There would be no unacceptable cumulative impacts in combination with existing or consented development.
- Satisfactory mitigation can be put in place to minimise the impacts of the renewable energy proposal and its associated infrastructure.
- Proposals make provision for the appropriate restoration and after-care of the land for its beneficial future re-use.

Given the nature and relatively small scale of the development, it is considered that it would comply with above criteria, and would therefore be in accordance with Policy EcW 8.