

INTERNAL MEMORANDUM

To: Kate Glover - Development Control Case Officer

Reference: P/24/0224

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 11th October 2024

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW4, SW10, SW13 & EcW7).

If minded to approve in principle, particular consideration should be given to the impact of the development on the character of the area, the impact on surrounding area and occupiers in terms of noise and disturbance, the impact on any relevant heritage assets and biodiversity, and the impact on traffic generation, highway safety and parking provision, and any other relevant risks to public health and safety, including flooding (Policies SW11, SW12, CW1, EnW1, EnW3 & EnW4).

Observations in respect of the above development

1. Proposed Development

An application for the construction of a new above-ground concrete skate park, with associated landscape works, at land adjacent to Merthyr Tydfil Leisure Centre, Rhydyar, 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 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 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 Biodiversity: To improve ecosystem resilience and connectivity which support habitats and species of principle importance.*
- *LDP Objective 15 Leisure, Recreation and Tourism: To support sustainable tourism, leisure and recreation developments and encourage an all year round tourism industry.*

The following development plan policies would apply:-

- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW10: Protecting and Improving Open Spaces*
- *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 EnW1: Nature Conservation & Ecosystem Resilience*
- *Policy EnW3 Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species*
- *Policy EnW4: Environmental Protection*
- *Policy EcW7: Tourism, Leisure and Recreation Development*

The following supplementary planning guidance is 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)*
- *Merthyr Tydfil Local Development Plan Supplementary Planning Guidance Note 5: Nature and Development (May 2015)*

National Planning Policy

Planning Policy Wales (Edition 12, February 2024)

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**
- **Active and Social Places: Living in a Place**

- Activities in a Place: Community Facilities
- Activities in a Place: Recreational Spaces
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities 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 33 – National Growth Area – Cardiff, Newport and the Valleys

Technical Advice Notes (TANs)

TAN 4: TAN 12: Design (March 2016)

TAN 15: Development and Flood Risk (July 2004)

TAN 16: Sport Recreation and Open Space (January 2009)

TAN 24: Historic Environment (May 2017)

3. Policy Considerations

The application site consists of an area of seating and hard and soft landscaping, adjacent to Merthyr Tydfil Leisure Centre. The site is located within the Primary Growth Area and settlement boundary, where new development can be considered acceptable in principle (Policy SW4) subject to proposals being compatible with the Plan's other policies and all other material considerations.

Policy SW9 relates to planning obligations. Given the nature of the proposal, on-site provision of affordable housing or open space, or a financial contribution towards affordable housing, would not be sought. Additionally, Community Infrastructure Levy (CIL) would not be chargeable.

Policy SW10 states that development proposals that improve the quality, quantity or access to open space will generally be supported. Development proposals that would have an unacceptable adverse impact on or result in a loss of open space will not be permitted unless:

- It would not cause or exacerbate a deficiency of open space in accordance with the Council's open space standards or;
- The majority of the open space can best be retained and enhanced through the redevelopment of a small part of the site or;
- Satisfactory equivalent community benefit or enhanced compensatory provision can be provided in accordance with the Council's open space standards and
- In all cases, the open space has no significant nature or historic conservation importance.

The application site is a designated Open Space, classified as 'Playspace'. It is acknowledged that the proposal would result in the loss of existing seating and table tennis tables. However,

it is considered that the introduction of the skate park and associated landscaping would result in the improvement of the quality of the playspace. As such, the proposal would comply with Policy SW10.

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:

- 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 relevant utility services and infrastructure without causing any unacceptable environmental impacts;
- incorporate measures to improve ground and surface water quality wherever possible;
- promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour.

Considering the nature and scale of the proposed development, and the prominent location of the site (in close proximity to existing public, leisure commercial uses) careful consideration should be given to the above issues. As such, the views of the Council's Environmental Health department and the Engineering and Traffic Group Leader should be sought.

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. It is noted that the site is located in close proximity to Merthyr Tydfil Town Centre, which includes the main bus and train stations, as well as public car parks and electric charging points.

Policy SW13 states that the provision of new and enhanced community facilities will be supported, subject to satisfying other relevant LDP policies.

The proposed development would result in an additional leisure and recreation facility within the Merthyr Tydfil Leisure Village. As such, this would enhance the existing facilities, and the proposal would therefore be in accordance with Policy SW13.

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 and Archaeologically Sensitive Areas should have regard to their special character and archaeological importance.

The site lies within the West Merthyr, including Heolgerrig and Gellideg, Urban Character Area (UCA9) and the Merthyr Tydfil Landscape of Outstanding Historic Interest. The impact of the development on the character of the area should be particularly considered. As such, the views of the appropriate Council Officer, or Heritage body, should be sought as required.

Policy EnW1 seeks to protect nature conservation and ecosystem resilience. Policy EnW3 states that development proposals likely to have an adverse impact on Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, or Priority Habitats and Species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the conservation value of the site;
2. Adverse impacts on nature conservation features or geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development maintains and where possible enhances biodiversity and geodiversity interests.

As such, the views of the Council's Ecologist should be sought.

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. As such, the views of the Environmental Health department should be sought as appropriate.

The application site lies within Flood Zone B as illustrated on the LDP Constraints Map As such, Natural Resources Wales should be consulted as appropriate.

Policy EcW7 states that tourism, leisure and recreation development within settlement boundaries is generally supported, particularly where they aid the revitalisation and regeneration of the Town and Local Centres.

As mentioned above, the proposed development would improve the leisure and recreation offering within Merthyr Tydfil Leisure Village, and is located in close proximity to Merthyr Tydfil Town Centre. As such, the proposal would be in accordance with Policy EcW7.