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Dyddiad/Date: 19.11.2020

Ein Cyf./Our ref.: PA/20/0043
Eich Cyf./Your ref.:

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Dear Sir/Madam,

RE: PRE-APPLICATION ENQUIRY FOR THE CONSTRUCTION OF A DWELLING, OUTBUILDINGS AND THE CREATION OF AN ACCESS FROM THE HIGHWAY - LAND AT CARDIFF ROAD, MERTHYR VALE, MERTHYR TYDFIL

I refer to your correspondence received on the 9th November 2020 concerning the above and your request for pre-application advice.

Having considered the nature of the submission I can respond as follows.

Relevant Planning History

As you are aware, outline planning permission (Application P/18/0328) for the proposed construction of three detached dwellings on an area of land located within the north-western corner of your site was refused permission in December 2018. The reasons for refusal are stated below:

- 1. The proposed development would result in the loss of part of a landscaped gap between the existing built form which makes an important visual contribution to the character and appearance of the area. The proposed development by virtue of its siting, layout and scale and the design of the properties would also have a harmful impact on the street scene. For these reasons, the proposal would result in an insensitive infill development that would have an adverse impact on the character and appearance of the area, contrary to Policy BW7 of the Merthyr Tydfil Local Development Plan.*
- 2. The proposed development due to the width of the private driveway and the lack of turning facilities would result in dangerous reversing movements onto the adjoining highway, to the detriment of highway safety. As such the proposal is contrary to Policy BW12 of the Merthyr Tydfil Local Development Plan.*

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Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddim yn arwain at oedl. Rhwch wybod inni beth yw'ch dewis iaith e.e Cymraeg neu'n ddwyieithog.
We welcome correspondence in Welsh and corresponding with us in Welsh will not lead to a delay. Let us know your language choice if Welsh or bilingual.

The documents and plans associated with this application can be viewed on the Council's website using the link provided below:

<https://www.merthyr.gov.uk/resident/planning-and-building-control/planning-search-and-weekly-lists/>

I should point out that since the determination of this application, a new local development plan (LDP) has been adopted by the Council. Any application that may come forward would be assessed under the policies contained within the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

Relevant Policies and Guidance

Under the replacement local development plan (LDP), the application site is located outside of the settlement boundary and is designated as a Special Landscape Area (SLA). It also forms part of a Site of Important Nature Conservation (SINC). The following policies would therefore be relevant to the determination of this scheme:

- *Policy SW4: Settlement Boundaries*
- *Policy SW9: Planning Obligations*
- *Policy SW11: Sustainable Design and Placemaking*
- *Policy SW12: Improving the Transport Network*
- *Policy EnW1: Nature Conservation and Ecosystem Resilience*
- *Policy EnW2: Internationally and Nationally Protected Sites and Species*
- *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 EnW5 Landscape Protection*
- *Policy EcW10 Sustainably Supplying Minerals*
- *Policy EcW13 Minerals Safeguarding*

The LDP, including the full detail of these policies, can be found on the Merthyr Tydfil County Borough Council Website at:

<https://www.merthyr.gov.uk/resident/planning-and-building-control/planning-policy/>

The following supplementary planning guidance (SPG) is also applicable:

- SPG2 – Planning Obligations
- SPG4 – Sustainable Design
- SPG5 – Nature and Development

Summary of the acceptability of the proposal

The site is located outside of the settlement limits as defined by the LDP, where Policy SW4 regards development proposals as 'countryside development'. This policy states outside defined settlement boundaries, proposals will be regarded as 'countryside development' and proposals will not be permitted, unless there are particular circumstances of housing need which can only be met through the provision of individual dwellings in the countryside. Those circumstances primarily relate to the operational needs of farming and forestry, where an essential need for workers to live at or close to their place of work has been established. In this case, no special justification has been provided. Accordingly, the principle of residential development on this site would not be acceptable as it would lead to an unsustainable form of development and an inappropriate encroachment into the open countryside.

Further to the above, the site has an important visual and landscape function and the proposal to develop this land to provide a detached dwelling, outbuildings and a hardstanding with the necessary infrastructure (i.e. private driveway, parking areas etc.) would harm the character and appearance of the area with the gradual urbanisation of the settlement of Mount Pleasant and Merthyr Vale. Any further encroachment into this important landscaped area, particularly given the significant engineering operations required to accommodate the development, would not result in a sensitive form of development that positively contributes to the area. This would be contrary to Policy SW11 of the LDP. The erosion of this land would also be contrary to Policy EnW5 which seeks to safeguard the character and quality of the landscape setting and protect it from damage.

In addition to the above, the site is designated as a Site of Important Nature Conservation (SINC) and there is significant concern that the development put forward as part of this enquiry would have potential to negatively impact protected species and habitats and specifically habitats that underline the reason why the site has been designated. Under Policy EnW3, development proposals likely to have an adverse impact of Sites of Importance for Nature Conservation 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. The 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.

If an application were to be submitted to the LPA, a daytime Preliminary Ecological Appraisal (PEA) would be required in order to investigate any impacts of the proposed works on priority and protected species and/or habitats and to inform whether further surveys are required. Please note that an Aderyn data search would be required from SEWBRec (Package C 2KM).

Turning to the highway safety implications of such a scheme, as limited details have been provided, it is difficult to provide you specific advice on this matter. However, the Council's Engineering and Traffic Group Leader has highlighted that the creation of a new access off Cardiff Road would need to be designed to provide a 2.4m x 43m visibility splay. Also, any future proposal for a residential dwelling on this land would need to have off road parking provision for a minimum of two cars with turning provision within the curtilage, so that vehicles can enter and exit in a forward gear.

Notwithstanding the above highway observations, the site is located outside the settlement boundary and falls within a Special Landscape Area (SLA) and a Site of Important Nature Conservation where development is strictly controlled. The proposal is unacceptable in principle as it would cause harm to the countryside and conflict with Policies SW4 and EnW5. As such, the principle of the development would not be supported by the local planning authority. There are further concerns that the scheme would negatively impact protected species and habitats that underlie the SINC designation.

Other matters

In response to your queries, I would advise that planning permission would be required for the creation of a new access road off Cardiff Road and for the construction of a shed. It is difficult to advise you whether or not planning permission would be required for a siting of a polytunnel on the land, as this would depend on a number of factors such as the degree of permanency, its attachment to the ground, construction and whether any engineering works are required to the land etc.

I trust the above information is of assistance. However, I must note the advice given in this response represents an informal opinion, provided in accordance with the Council's Planning Pre-Application Service. In particular, it is emphasised that while this pre-application advice will be carefully considered in reaching a decision or recommendation on an application, the final decision on any application that you may make

can only be taken after we have consulted local people, statutory consultees and any other interested party. It does not therefore prejudice any decision which the Local Planning Authority may make should an application be submitted.

Yours sincerely,



MISS J JONES

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