

PRE-
APPLICATION
CONSULTATION
REPORT

**Land to the North of
Crabtree Walk,
Trefechan**

May 2020



Summary

Proposal:

Demolition of a bungalow, construction of residential development, landscaping, parking and associated works

Location:

Land to the North of Crabtree Walk, Trefechan, Merthyr

Date:

May 2020

Project Reference:

18.249

Client:

WDL Homes Ltd

Product of:

Asbri Planning Limited
Unit 9 Oak Tree Court
Mulberry Drive
Cardiff Gate Business Park
Cardiff CF23 8RS

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Appendix A

Copy of Site Notice and map showing their location

Appendix B

List of the addresses of adjoining land owners and/or occupiers and a copy of the notice issued

Appendix C

Screenshot of the Asbri Planning Website

Appendix D

Copy of notice issued to community consultees (Schedule 1B)

Appendix E

Copy of all notices issued to specialist consultees (Schedule 1C)

Appendix F

Copy of responses received from specialist consultees

Introduction

- 1.1 Asbri Planning have been instructed by WDL Homes Ltd to prepare a Section 2F – Pre Application Consultation Report (PAC) in respect of the proposed demolition of a bungalow, construction of residential development, landscaping, parking and associated works on land to the north of Crabtree Walk, Trefechan, Merthyr Tydfil.
- 1.2 In accordance with Part 1A of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (“the 2016 Order”), all major developments are required to be subject to pre-application consultation, prior to the Planning Application being validated by the Local Planning Authority.
- 1.3 The 2016 Order confirms that any ‘Pre-Application Consultation’ exercise would be required to undertake the following steps prior to compiling the PAC Report (Section 2F);
 - Publicity before application for Planning Permission (Section 2C);
 - Consultation before applying for Planning Permission (Section 2D); and
 - Duty to respond to pre-application consultation (Section 2E);
- 1.4 This PAC Report has been prepared in accordance with Part 1 Section 2F of the 2016 Order and demonstrates how the applicant has complied with Section 61Z of the Town and Country Planning Act 1990 (as amended) (“the 1990 Act”) and responded to the Consultation received from any person consulted under Section 61Z (3) or (4) of the 1990 Act.
- 1.5 In accordance with section 2F(2) this report includes;
 - a) a copy of the site notice and a plan showing its locations;
 - b) a declaration that the site notice was displayed in accordance with the 2016 Order;
 - c) a list of the addresses of adjoining land owners or occupiers;
 - d) copies of all notices given to community consultees;
 - e) copies of all notices given to specialist consultees;
 - f) a summary of all issues raised in response to the statutory publicity, including confirmation of whether the issues raised have been addressed, and, if so, how;
 - g) a summary of all issues raised by community and specialist consultees, including confirmation of whether the issues raised have been addressed, and, if so, how;
 - h) copies of all responses received from community and specialist consultees.

- 1.6 The statement confirms how the consultation has been publicised at section 2, whilst section 3 confirms which consultees have been consulted as part of this PAC. Sections 4 provides a summary of the responses received to the statutory publicity and provides a response to the comments. Section 5, 6 & 7 outlines the responses received to the consultation with Community, Specialist and 'other' consultees and provides a response to each comment. The report concludes at section 8.

Statutory publicity before applying for planning permission

- 2.1 In accordance with Section 2C of the 2016 Order, the applicant has undertaken appropriate publicity by way of:
- Displaying a site notice for a period of no less than 28 days from the 31st October 2019 to the 28th November 2019 inclusive. A copy of the site notice is contained at Appendix A. Asbri Planning hereby declare on behalf of WDL Homes Ltd that the Site Notice was displayed in at least one place on or near the development site therefore the provisions of Section 2(C)(1)(a)(i) of the 2016 Order have been complied with;
 - Giving requisite notice to owners/occupiers of any land adjoining the application site. A list of the identified adjoining land owners and a draft notice is contained in Appendix B.
 - Made the full draft planning package available for inspection on Asbri Planning's website from the 31st October 2019 until the 28th November 2019 inclusive.
 - A copy of the screenshot is included at Appendix C. Computer facilities were identified to view the application at Merthyr Tydfil Central Library, High Street, Merthyr Tydfil, CF47 8AF. The library is open Monday – Fridays 8.30am – 6.00pm, Saturday 8.30am – 2.00pm and closed on Sundays. The following plans and documents were made available for inspection;

Table 1: list of proposed plans

Plan title	Drawing reference
Site Location Plan	TREF-15-04-01
Site Layout Plan	TREF-15-04-02
Site Sections Location Plan	1914-107-01
Site Sections	1914-107-02
Engineering layout	1914-001
Oxwich Bay (Render)n House Type	-
Windsor (Brick) House Type	-
Windsor (Render) House Type	-
Ashford (Render) House Type	-
Oxwich (Brick) House Type	-
Oxwich (Render) House Type	-
Llangenith (Render) House Type	-
Laugharne (Brick) House Type	-
Laugharne (Render) House Type	-
Mewslade (Brick) House Type	-
Whitland (Brick) House Type	-
Pembroke (Brick) House Type	-
Garages	-

Aberaeron (Render) House Type	-
Caswell (Render) Floor Plans House Type	-
Caswell (Render) Elevations House Type	-
Tenby (Brick) House Type	-

Table 2: list of Documents

Document	Author
Planning application forms (1APP)	Asbri Planning
Design and Access Statement	Asbri Planning
Planning Statement	Asbri Planning
Phase 1 Ecology Survey	Ecological Services
Biodiversity Strategy	Ecological Services
Transport Assessment	Asbri Transport
Archaeology and Heritage Assessment	EDP Ltd
ASIDHOL Assessment	EDP Ltd
Tree Survey	ArbTS
Landscape and Visual Assessment	John Campion Associates Ltd
Flood Risk Assessment and Drainage Strategy	PHG Consulting
Borehole Soakaway testing	Integral Geotechnique

- 2.2 Any person who wished to make representations about the proposed development must have completed a Consultation Response Form, either online or as a hard copy, and issued to the agent by the 28th November 2019.

Consultation before applying for planning permission

- 3.1 In accordance with Section 2D of the 2016 Order, the applicant has undertaken consultation with all community and specialist consultees.

Community Consultees (Schedule 1B)

- 3.2 The applicant has undertaken consultation with the following community consultees;

Table 3: Community Consultees

Consultee	
Local Ward Member	Cllr Howard Barrett
Local Ward Member	Cllr Lisa Mytton

- 3.3 A copy of all notices issued to community consultees is contained within Appendix D.

Specialist Consultees (Schedule 1C)

- 3.4 The applicant has undertaken consultation with the following community consultees;

- Trunk Road Agency
- CADW
- The Coal Authority
- Dwr Cymru/Welsh Water
- NRW
- Health and Safety Executive
- Welsh Government Agricultural Land
- Merthyr Highway Authority
- Brecon Beacons National Park Authority

- 3.5 A copy of all notices issued to specialist consultees are contained within Appendix E.

Other consultees

- 3.6 The client has gone beyond the requirements of the 2016 Order and has decided to consult the following additional ('other') consultees;

- National Grid
- GGAT
- Western Power
- Merthyr Landscape Officer

- 3.7 The above consultees were given notice that the responses were required within 28 days from the receipt of the notice.

Response to the statutory publicity

- 4.1 This section provides a summary of the comments received in response to the statutory publicity.
- 4.2 As discussed, the application was publicised as follows;
- A site notice was displayed on/adjacent to the site; and
 - Notices were issued to the adjoining land owners and/or occupiers.

Pre-application Consultation

- 4.3 The following responses have been received from members of the public in response to the pre-application consultation.

The following comments were raised:

Comments	Response
I have seen an application for some new build homes in Trefechan Merthyr Tydfil. Can you please let me know if they are a mixture of 2,3, and 4 bedroom homes?	The proposal includes for a mix of three- and four-bedroom homes.
Danger to Residents/Children. How will the WDL Homes Ltd., intend to filter site/building vehicles through a narrow, single lane, existing road that leads to Crabtree Walk, which would then lead to 45 dwellings using this narrow passageway? This will cause major disruption to the residents of the upper side of Trefechan.	The site access is subject to a separate access application. The narrow lane referred to will (subject to planning permission and highway agreement) be improved which will ensure that construction traffic and vehicles associated with the site can access the development effectively. In addition a construction environmental management plan will be provided (by condition) which will manage how the site operates from a construction perspective. As such the rear of Crabtree Walk shall greatly benefit from improvement works to the highway as there will be betterment in terms of the highway access, traffic calming/cross-over and additional off-road parking to those residents of Crabtree Walk all add to a better access solution.

Health and Safety. How will the proposed 45 dwellings expect to flush their sewerage into an already congested, archaic, sewer system, which would be not fit for purpose?	The scheme will be supported by a drainage strategy that will address how drainage will be dealt with for the development. In terms of foul drainage the proposal will seek connection to the existing mains sewer. Welsh Water have confirmed capacity for foul flows for the proposed 45 units in the local adopted system and no issues with the sewerage system or downstream waste water treatment works. On surface water following a detailed review all water shall discharge to ground via deep boreholes located across the site. Also all surface water shall be managed and approved via the Merthyr Tydfil SAB (SuDS Approval Board).
Eyesore on the Mountainside.	The new development as proposed includes a retained/enhanced planted boundary to the existing bridle way, retains various mature trees/copse at entrance (RH) forming a corridor and incidental amenity to the small woodland north of Mira Monte, includes approximately 0.34 Acres of public amenity area around the south east footway link to bridleway and additionally provides just over an acre of peripheral eco buffer to north & western boundary with the natural hillside beyond.
The fear of the existing nature/eco system, which consists of protected wildlife, e.g. Slowworms, newts habitats, being damaged and never being able to recover.	The Proposal has been subject to a Phase 1 Ecological Appraisal by an independent ecological consultancy which confirmed a variety of common habitats and species on-site. No habitats within the site are rare and all habitat types are wide spread in

	the local area. The proposal is also supplemented with mitigation measures to limit impacts on any animals which may be present in the area and will allow the natural recolonisation of the site. The inclusion of buffer zones between the development footprint and surrounding areas creates natural species for plants and animals to use and will help to prevent any negative impacts to the surrounding land. These features and suitable timing of the works will be integral to the development and will help to soften any habitat loss which may occur as part of the development proposals.
Peace/Tranquillity. The layout is not sensitive in respect of existing dwellings in Trefechan, it goes right the way through the heart of the village. It will cause chaos!	The comment is noted. The proposal has been designed to have adequate separation distances which will ensure the privacy of existing properties. It is noted that an extant consent exists on the site for 81 homes. The applicant has reduced this number to ensure a sensitive layout is achieved. Given the slope constraints of the site we have more space between units than we would if it was flat. In terms of views across the valley, the adjacent site is higher and further up the slope.
Further to your invitation to comment on the proposed development, we have noted that the letter from the Merthyr Tydfil County Borough Council, 19th June 2019, advises the Council's Highway Engineer <i>'has raised major concerns with the proposed means of access into the site from Crabtree</i>	The comments are noted. Email sent to consultee 28/11/2019 The correspondence of June 2019 was following initial high level discussions with the planning authority, Since this time full access proposals have

<i>Walk</i>. We echo these major concerns and feel the traffic calming proposals detailed in your Transport Assessment do not satisfactorily address the issues of access We would request that further consultation with Merthyr Valley Homes and the residents impacted by these proposals be sought in relation to traffic management measures for both construction and post construction solutions before proposals are submitted for full planning permission.	been developed to allow adequate access to and from the site and have been submitted to planning in order to obtain planning permission (P/19/0277 refers). The application is pending determination but it should be noted that the Council's Highways officer has provided comments and has not objected to the application subject to conditions which include a traffic management plan which will ensure arrangements are in place during construction. In addition the Council's Highway Officer has also commented on the PAC and has confirmed that in principle that the highways proposals are acceptable for the residential aspect of the site. If you would like to discuss further please get in touch as we would be happy to meet with yourself on behalf of Merthyr Valleys Homes to discuss should you wish.
The cumulative impact of the development will have an adverse impact on the views in the area.	A Landscape and Visual Impact Assessment has been completed for the proposal. The assessment concludes that the proposal will result in the loss of openness within the site its self but will have a sustainable use which is compatible with the surrounding land uses and character of the edge of settlement in Merthyr.
This type of housing doesn't satisfy local housing needs.	The proposal has been developed based on the applicant's experience of the local housing market.
This proposed development will have a negative impact on my property due to noise,	The scheme has been designed to ensure appropriate separation distances are

overlooking, loss of privacy and loss of light.	maintained between existing and proposed dwellings. This will ensure that no existing dwellings experiences overlooking, loss of privacy or loss of light.
The development would also result in traffic problems.	A transport assessment has been produced to accompany the application. The report concludes that the traffic movements associated with the development could be accommodated on the highway network and will not have a significant detrimental impact on the current or future conditions of the local highway network.
Late representations	
In my opinion the "consultation" has not been presented clearly or in a user-friendly manner, namely an A4 sign pinned to a few telegraph poles that invites you to visit a web address and download a non-editable PDF file (attached). This system will not give a true representation of how the community feel about the proposals, as not many people will be able to navigate their way around the consultation and therefore will not provide the feedback you are inviting. Surely it would have been easier for the local community if you included a copy of the form in the documents posted to the individuals.	The comments are noted. The consultation has been conducted in accordance with Planning Regulations which require notices to be displayed on-site and those directly adjoining the site to be given notices to access the consultation online. The notice provides full details for consultees in terms of what they need to do to access the consultation and also provides a deadline for replies should they wish to provide comments. This accords with the requirements of the Planning Regulations. The form is optional and consultees are welcome to write or email in response.
Timeframe: There are no details of timeframe or schedule.	The timeframe for a planning application is dependent on the outcome of the PAC process.

Water supply: We currently experience frequent disruption to our water supply; will this new development affect us even further?	The comments are noted. The applicant is in dialogue with Welsh Water but in all likelihood any new supply may well improve matters.
Sewage: The proposal is that the sewage from the new development joins the existing infrastructure downstream at Crabtree Walk / Hawthorn Hill, is this existing infrastructure able to cope with the new demand?	Welsh Water have confirmed that there is sufficient capacity for this connection.
Water run-off: A system of boreholes has been proposed to cope with the water runoff from the new development, There are a number of questions this raises concerning volume and pollution	The comment is noted. The development will require SAB consent that will ensure that an adequate drainage solution for surface water will be put in place.
Traffic & Pedestrian access: There are a number of issues concerning the plans in respect to volume of traffic and access for both vehicles and pedestrians.	A traffic impact analysis was produced at the request of the LPA. Improvement to the access is being addressed via a separate access application. It is noted that the Council's Highway officer has not objected to the access application or to the proposals which form part of the PAC.
Disruption. This ties in with all of the above, in particular to timescale and construction plans/methods.	The access proposal will be subject to a traffic management plan that will control matters during construction. It is expected that the main application will also be subject to similar controls.
We moved to Trefechan from London in 2007 and paid the asking price for the property based on its location and surrounding area as our intention was to live in a	The comments are noted. Construction work will be for a temporary period.

peaceful countryside location. I work often from home and make and receive calls and attend webinars etc as part of my business, the noise and disruption will severely effect my working day for however long the development is in construction.

We are forced to oppose this development based on the fact that we will experience severe disruption both to our lifestyle and business over a number of years and the property we purchased based on its location will turn from being an end of terrace property at the edge of the village, to a property pretty much situated in the middle of a busy thoroughfare. Even if I was to consider moving at this stage I am sure these plans will affect the current value of my property.

The comments are noted. All new development to some degree changes aspect. As you will be aware an extant planning permission for 81 units covers the land now subject to the proposed development, this was the case in 2007. The nature and siting of the proposed WDL dwellings do not present an overbearing impact upon 24 Hawthorn Hill. More fundamentally existing occupiers do not own the adjoining countryside and house prices are not a material planning consideration.

Response to the community consultees

- 5.1 No responses have been received from community consultees in response to the pre-application consultation.

Response to specialist consultees

- 6.1 The following comments have been received following consultation with the required specialist consultees. A full copy of the representations received can be reviewed at Appendix F.

Natural Resources Wales	
No Comment	
Comment	I refer to your email dated 31 October 2019 and statutory pre-application consultation for the above. Under the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (hereafter referred to as the Order), we should be consulted where the proposed development falls within one of the categories set out in Schedule 4 of the Order where the Natural Resources Body for Wales is an identified specialist consultee. Any pre-application consultation submitted to us under the Order should be supported by the requisite notice and documents described in the Order. Here is a link to the development management procedure amendment where the schedule notice is included, along with the table of who should be consulted: http://www.assembly.wales/laid%20documents/sub-ld10539/sub-ld10539-e.pdf Please note, when consulted, our comments will only relate specifically to matters listed in our Consultation Topics document (September 2018). We will not consider potential effects on other matters, and therefore cannot <i>rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.</i> Having considered the information submitted, it does not appear that we are an identified specialist consultee in accordance with Schedule 4 of the Order and therefore we have no comments to make on this pre-application consultation. If you believe this to be incorrect, please contact us, giving reasons and we will reconsider our position. Please note, in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents relevant to their development.
Response	The response is noted.

Comments

Comments I refer to your pre-planning enquiry received relating to the above site, seeking our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted I can provide the following comments which should be taken into account within any future planning application for the development.

We refer to the Schedule 1C - Article 2D notice received and your formal request for a pre-application consultation response before applying for planning permission from Dwr Cymru Welsh Water as a 'Specialist Consultee' as defined by Paragraph (y) of Schedule 4 of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. It is acknowledged that the consultation request relates to a major development site and thus seeks a substantive response within 28 days from the date of the notice, 31/10/2019, as per the requirements of Article 2E. This request includes our views on the capacity of our network of assets and infrastructure to accommodate your proposed development. Having reviewed the details submitted we would advise there is no objection to the proposed development and offer the following standing advice which should be taken into account within any future planning application for the development:

SEWERAGE

We have no objection for the domestic foul flows generated from this development to connect to the public sewer.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. As highlighted in these standards, the developer is required to explore and fully exhaust all surface water drainage options in accordance with a hierarchy which states that

discharge to a combined sewer shall only be made as a last resort. Disposal should be made through the hierarchical approach, preferring infiltration and, where infiltration is not possible, disposal to watercourses in liaison with the Land Drainage Authority and/or Natural Resources Wales. However, we note that surface water will be discharged from the site via SuDs features including; rain gardens, swales, porous paving and ponds and we welcome this approach as a more sustainable alternative to a public sewer.

Please note that no highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system.

WATER SUPPLY

The proposed development is in an area where there are water supply problems for which there are no improvements planned within our current Capital Investment Programme AMP7 (years 2020 to 2025). In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For the developer to obtain a quotation for the hydraulic modelling assessment, we will require a fee of £250 + VAT.

I trust the above information is helpful and will assist you in forming water and drainage strategies that should accompany any future planning application. I also attach copies of our water and sewer extract plans for the area, and a copy of our Planning Guidance Note which provides further information on our approach to the planning process, making connections to our systems and ensuring any existing public assets or infrastructure located within new development sites are protected.

Please note that our response is based on the information provided in your enquiry and should the information change we reserve the right to make a new representation. Should you have any queries or wish to discuss any aspect of our response please do not hesitate to contact our dedicated team of planning officers, either on 0800 917 2652 or via email at developer.services@dwrcymru.com.

Response The response regarding the foul connection and the need for a SAB consent is noted. The applicant has already applied to Welsh Water for a water supply and dialogue is currently ongoing.

CADW

Comments

Advice

The following comments are based on information made available to us as part of the pre-application consultation and we will review our comments when we are consulted on the final planning application.

Having carefully considered the information provided, we have no objections to the impact of the proposed development on the scheduled monuments or registered historic parks and gardens. Our assessment of the pre-application is given below.

Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

National Policy

Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), Technical Advice Notes and related guidance.

PPW ([planning-policy-wales-edition-10.pdf](#)) explains that It is important that the planning system looks to protect, conserve and enhance the significance of

historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance)

[Technical Advice Note 24: The Historic Environment](#)

elaborates by explaining that when considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains.

PPW also explains that local authorities should value, protect, conserve and enhance the special interests of parks and gardens and their settings included on the register of historic parks and gardens in Wales and that the effect of a proposed development on a registered park or garden or its setting should be a material consideration in the determination of a planning application.

[Assessment](#)

[Scheduled Monuments](#)

BR118 Cae Burdydd Castle

BR145 Nant Crew Inscribed Stone (now in Cefn Coed Church)

GM028 Morlais Castle

GM424 Pont y Cafnau Tramroad Bridge

GM425 Remains of Blast Furnaces, Cyfarthfa Ironworks

GM478 Gurnos Quarry Tramroad & Leat
 GM479 Tai Mawr Leat for Cyfarthfa Iron Works
 GM486 Iron Canal Bridge from Rhydyar
 GM495 Cyfarthfa Tramroad Section at Heolgerrig
 GM518 Enclosure East of Nant Cwm Moel
 GM519 Enclosure on Coedcae'r Ychain
 GM528 Penmoelallt Round Barrows
 GM554 Iron Ore Scours and Patch Workings at Winch
 Fawr, Merthyr Tydfil
 GM563 Morlais Hill ring cairn
 GM567 Cefn Cil-Sanws ring cairn
 GM568 Coetgae'r Gwartheg barrow cemetery
 GM594 Merthyr Tramroad: Morlais Castle section
 GM599 Cefn Cil-sanws, cairn on SW side of
 GM600 Cefn Cil-sanws defended enclosure

Registered Parks and Gardens

PGW (Gm) 1(MER) Cyfarthfa Castle (grade II*)
 PGW (Gm) 70(MER) Cefn Coed Cemetery & Jewish Burial
 Ground (grade II)

Registered Historic Landscape

Merthyr Tydfil

The consultation includes an archaeological and heritage
 assessment prepared by EDP which considers the impact
 of the development on the designated heritage assets
 above (apart from the registered historic landscape). It
 concludes that the proposed development will not have
 a significant impact on any scheduled monument or
 registered historic park and gardens or their settings. We
 concur with this conclusion.

EDP have also produced an Assessment of the Impact of
 Development on Historic Landscapes (ASIDOHL) for the
 proposals. There are some technical errors to this
 assessment which has led to the impact of the
 development on Historic Landscape Character Area 058
 being calculated higher than it should be. The
 assessment will need to be altered so that the overall
 magnitude of impact for Table 3.6 (indirect visual effects
 to HLCA 058) should be Considerable and not Severe and
 the summary for HLCA 058 in Table 5.1 should be
 calculated out of 30 and not 40 resulting in a conclusion
 that the impact will be Fairly Severe and not Severe.

The ASIDOHL process gives an indication of the level of
 impact of a development on the historic landscape but
 does not consider proposed enhancements to the

landscape and requires a level of professional judgement to determine the final scale of impact.

In this case, the development design includes proposals for the restoration of the drystone walls around the perimeter of the site, notably those on the bridleway on the eastern side. Given that the walls are the key surviving historic element within the site, this represents a marked improvement on the current baseline.

It should also be noted that Historic Landscape Character Area 058 is included inside the boundary of the Registered Historic Landscape but extends outside it and therefore is larger than the assessed area.

It is therefore, in our opinion, taking into account the above additional information that overall the proposed development will have moderate, but not significant, impact on the registered historic landscape.

Response The comments are noted.

Coal Authority

Comments

Comment Demolition of bungalow, construction of residential development, landscaping, parking and associated works at Land to the north of Crabtree Walk, Trefechan, Merthyr Tydfil
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Thank you for your notification of 31 October 2019 seeking the pre-application views of the Coal Authority on the above.

I have checked the site location plan against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield.

Accordingly, there is no requirement for the Local Planning Authority to consult the Coal Authority on any planning application for this site.

Response The response is noted.

Health and Safety Executive

No Objection to the application

Comment Land Use Planning Consultation with Health and Safety Executive [Town and Country Planning (Development Management Procedure) (England) Order 2015, Town and Country Planning (Development Management Procedure) (Wales) Order 2012, or Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013] The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Asbri Planning Ltd.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Pipelines 7286_1555 National Grid Gas PLC As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this: The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline. The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds. HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

Response The response is noted. National Grid have been consulted as part of the PAC and they have responded confirming no objection.

Welsh Government Agricultural Land

Comments

Comment Thank you for the formal request for a pre-application consultation response under article 2D of the Town and

Country Planning (Development Management Procedure) (Wales) Order 2012, concerning agricultural land quality and the application of BMV policy. This advice relates to technical information only; not the merits or otherwise of the proposal.

Agricultural Land Classification (ALC):

The Department has not previously surveyed the site. According to the Predictive ALC Map, the land is likely to be Grade 4.

Advice:

An ALC survey is not required for this site as it is unlikely to include BMV land. Therefore the BMV Land Policy (PPW Paragraph 3.54 & 3.55) does not apply to this application.

Should the Department be consulted by the LPA, this would be under arrangements given in TAN6, Annex B6 and relate to technical advice only; not the merits or otherwise of the proposal.

Response The response is noted.

Merthyr Highways

Comments

Comment some initial comments

- a) Transport Assessment is designed for 50 dwellings although proposal later refers to 45 dwellings
- b) previous planning approval for site P/76/0445 was for 82 dwellings . No conditions were discharged however work commenced in the early 1980's.
- c) references to various current documentations, including Active Travel
- d) summary states 'it is considered that the proposed development is sustainably located in transport terms with regards access to both public transport and active travel network'.
- e) on the days of the travel survey the highway network was working normally i.e. no road works/operations
- f) no reference to on-street car parking or lack of off-street provision
- g) boreholing information suggests that soakaways may be feasible, however additional testing will be necessary after installation, borehole design will need to robustly seal off infiltration zone, all sewers to be sealed and

pressure tested, maintenance regime will be necessary also.

Above is brief reference to the information provided.

Information states that additional testing/works will be required to substantiate the possible design of a soakaway system to accommodate the housing proposal. Due to the complexity of the works undertaken, assumptions subject to additional testing works and potential future approvals we consider that, 'specialist assistance', will be required to analyse any future additional suggested information arrived at. No definitive acceptance in principle of this suggested soakaway system can be given at this time.

Highway proposals are generally acceptable however no acknowledgement of the existing on-street parking is a concern with regards safe traffic movement for both existing and proposed highway users.

Any initial queries please get back to me.

Response	With regards to the response on drainage the comments are noted. The drainage will be subject to a separate SAB application / consent.
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The comments on highways proposals are noted and the recently approved access application has addressed the existing parking arrangements and the layby.

Brecon Beacons National Park Authority

Comments

Comment	I write with reference to the above pre-application consultation received 4th November 2019 regarding the above proposed development.
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We understand Asbri Planning intends to submit a planning application to, and on behalf of, WDL Homes Ltd for a new residential development of which would be located on the northern fringe of Merthyr Tydfil. An existing bungalow and associated buildings will be demolished to make way for the proposed residential estate. At its closest point the site is approximately 50m distant from the boundary of Brecon Beacons National Park Authority (NPA).

We set out below some background on the NPA's policy and legal context.

Background

Policy and legal context

Section 63 of the Environment Act (1995) sets out the statutory purposes of the National Park as follows:-

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and
- To promote opportunities for the public understanding and enjoyment of the special qualities of the National Park

In accordance with section 62(2) of the Environment, any relevant Authority shall have regard to National Park purposes when performing any functions in relation to, or so as to affect, land in a National Park. Relevant Authorities include public bodies, government departments, local authorities and statutory undertakers.

The Special Qualities of the National Park may be significantly impacted by development proposals on the fringes of the National Park. The Brecon Beacons National Park Management Plan 2015-2020 defines the Special Qualities of the Brecon Beacons National Park as follows:

A feeling of vitality and healthfulness that comes from enjoying the Park's fresh air, clean water, rural setting, open land and locally produced foods. • A sense of place and cultural identity - "Welshness" - characterised by the use of the indigenous Welsh language, religious and spiritual connections, unique customs and events, traditional foods and crafts, relatively unspoilt historic towns, villages and family farms. The continued practices of traditional skills developed by local inhabitants to live and earn a living here, such as common land practices and grazing. • A sense of discovery where people are able to explore the Park's hidden secrets and stories such as genealogical histories, prehistoric ritual sites, medieval rural settlements, early industrial sites, local myths, legends and geological treasures. • The Park's sweeping grandeur and outstanding natural beauty observed across a variety of harmoniously connected landscapes, including marvellous gorges and waterfalls, classic karst

geology with caves and sink holes, contrasting glacial landforms such as cliffs and broad valleys carved from old red sandstone and prominent hilltops with extensive views in all directions. • A working, living “patchwork” of contrasting patterns, colours, and textures comprising of well-maintained farmed landscapes, open uplands, lakes and meandering rivers punctuated by small-scale woodlands, country lanes, hedgerows, stone walls and scattered settlements. • Extensive and widespread access to the Park’s diversity of wildlife and richness of semi-natural habitats, such as native woodlands, heathland and grassland, natural lakes and riparian habitats, ancient hedgerows, limestone pavement and blanket bogs including those of international and national importance. • In the context of the UK, geographically rugged, remote and challenging landscapes. • Enjoyable and accessible countryside with extensive, widespread and varied opportunities to pursue walking, cycling, fishing, water-based activities and other forms of sustainable recreation or relaxation. • An intimate sense of community where small, pastoral towns and villages are comparatively safe, friendly, welcoming and retain a spirit of cooperation.

Planning Policy Wales (PPW) (Edition 10) acknowledges the statutory purposes of National Parks and references the “Sandford Principle”, whereby if there is a conflict between the statutory purposes, greater weight shall be given to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage. PPW states that “planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas” (see para 6.3.5).

Draft Planning Application Submission Package

From the information submitted it is understood the application site measures approximately 2.8 hectares and the land is within the settlement boundary of Merthyr Tydfil. We cannot find any evidence that the site is allocated as a residential housing site or that the site is a commitment in the Local Development Plan.

The supporting information refers to correspondence from the Authority (presumably this is Merthyr Tydfil County Borough Council) dated the 16th August 1982, relating to the implementation of a planning permission for the construction of 88 dwellings.

In respect of the surrounding land uses and relationship with the National Park, directly adjacent to the northern boundary of the site are agricultural fields. Beyond the fields is a golf course, the boundary of which is within and follows the boundary of the National Park. The land to the north has also been identified as a Limestone safeguarding area. There are two residential estates to the east and the south and to the west of the site is a Site of Importance for Nature Conservation.

The proposed development comprises of:

- 42 dwellings accessed via a central spine road.
- The layout of the estate would be formed from 5 cul-de-sacs accessed via a principle access road located towards the east of the site.

Draft Planning Statement

It is recommended that the documents need to set out the specific consideration given to the development's impact on the statutory purposes of the National Park (as set out in Section 61 of the Environment Act (1995) and the special qualities of the National Park (as set out the Brecon Beacons National Park Management Plan 2015-2020). Please see Planning Policy Wales (PPW) (Edition 10) para. 6.3.5-6.3.10 for further information.

The distance from the National Park is stated as 120m and this is correct in respect of the northern boundary of the site and the boundary of the National Park, however it is noted that there is a distance of only 50 between the north-east boundary of the site and the nearest point of the National Park.

Notwithstanding the need for further consideration of viewpoints referred to above, the landscaping referred to in paragraph 3.7 of the Planning Statement when viewed on the proposed site plan could be further enhanced.

Draft Design and Access Statement

Of particular interest to the National Park are the following comments contained in the Design and Access Statement:

- Potential impact the development may have on the skyline/ridge to the north of the site bordering National Park; ▪ Landscape and Visual Impact Assessment (LVIA) required; and ▪ ASIDHOL required.

An LVIA accompanies this pre-application consultation and consideration is provided below.

Draft Landscape and Visual Impact Assessment

It is noted that the site is directly adjacent to two residential housing estates Crabtree Walk (to the south) and Sweetwater Park (to the east), and it is noted that one extension to Sweetwater Park has resulted in development directly adjacent to the National Park boundary.

It is noted that there will be a band of agricultural land between the northern parts of the proposed residential estate and the boundary of the National Park, however, there are some concerns regarding the impact on the visual qualities on the National Park including views into and out of the site.

It is considered that the submitted LVIA does not include sufficient viewpoints or an assessment of the impact on the National Park when viewing the site from the south. Further to this, the same is relevant in respect of viewpoints from within the National Park when viewing the site from the open access land and public footpaths that are located to the north should be included.

It is recommended that further consideration is given to the visual impact of the development in respect of short distance views into and out of the National Park.

Extended Phase One Ecology Survey and Letter-style report: Biodiversity Strategy

The following comments have been received from the National Park Planning Ecologist:

The Merthyr Tydfil CBC Ecologist will provide comments on the application; it is also assumed that Natural Resources Wales will also be consulted on the application when it is made.

There are no statutorily-designated sites nearby within the National Park and there do not appear to be significant impacts on nature conservation interests associated with the National Park. However, the following observations are made in an advisory capacity:

- There appears to be a net loss of reptile and breeding bird habitat and it will be important to ensure sufficient compensatory habitat is provided within or adjacent to the development site.
- The bungalow that is proposed for demolition does not appear to have been surveyed for bat presence. It is recommended that this is undertaken in accordance with best practice guidance.

PPW (2018) and Section 6 of the Environment (Wales) Act 2016 require the Local Authorities to seek to maintain and enhance biodiversity. The Welsh Government letter to Chief Planning Officers dated 23rd October 2019 has also clarified the necessity for developments to include biodiversity enhancement measures prior to determination of applications. There will be opportunities to accommodate biodiversity enhancement measures and the MTCBC Ecologist should be able to provide further guidance on the acceptability of the proposals with regard to this.

Statement of Community Involvement - At present the above statement is unavailable. Please ensure the document includes engagement with the National Planning Authority.

We trust the above comments are of assistance, however if you wish to discuss any aspect further please do not hesitate to contact me.

Thank you for your consultation regarding the above.

Response The planning statement will be revised to set out the specific consideration given to the development's impact on the statutory purposes of the National Park.

The comments in relation to ecology are noted.

The comments in relation to the DAS are noted.

A response to the comments in relation to the Landscape & Visual Appraisal is provided by the JCA below:

This note has been prepared as a commentary on the PAC Consultation response received from the Brecon Beacons National Park Authority (BBNPA) dated 2nd December 2019, prepared by Kate Glover.

The verbatim abstracted section regarding the submitted Landscape & Visual Appraisal is set out below for ease of reference:

'Draft Landscape and Visual Impact Assessment

It is noted that the site is directly adjacent to two residential housing estates Crabtree Walk (to the south) and Sweetwater Park (to the east), and it is noted that one extension to Sweetwater Park has resulted in development directly adjacent to the National Park boundary.

It is noted that there will be a band of agricultural land between the northern parts of the proposed residential estate and the boundary of the National Park, however, there are some concerns regarding the impact on the visual qualities on the National Park including views into and out of the site.

It is considered that the submitted LVIA does not include sufficient viewpoints or an assessment of the impact on the National Park when viewing the site from the south. Further to this, the same is relevant in respect of viewpoints from within the National Park when viewing the site from the open access land and public footpaths that are located to the north should be included.

It is recommended that further consideration is given to the visual impact of the development in respect of short distance views into and out of the National Park.'

JCA Commentary

1. For the sake of accuracy, we have prepared a Landscape & Visual Appraisal (LVA), *not a Landscape and Visual Impact Assessment (LVIA)*, as stated by BBNPA. This proposal has not been screened by MTDC as requiring an EIA, so a full LVIA is not required. However, the LVA has been produced in accordance with the same published current best practice methodology as for a LVIA, as contained in the

Guidelines for Landscape & Visual Impact Assessment, 3rd Edition.

2. The phrase *'some concerns regarding the impact on the visual qualities on the National Park including views into an out of the site'* is muddled and unsubstantiated. This is one of several indicators that this response has not been prepared by a landscape-qualified officer. We know that BBNPA have tended to commission landscape consultants to review planning applications - and we have previously acted in that capacity on a number of occasions - but it is highly unlikely that they would have done so for a PAC submission. In the LVA process, in accordance with current best practice guidance, the emphasis is upon identifying those effects which are *substantial*. LVA Paragraph 3.7, page 5, addresses this matter in detail, culminating in the final sentence which explains that the final list of assessment viewpoints was drawn up following review of the submitted candidate viewpoints by the LPA Landscape Architect, Tom Bramley. These viewpoints were drawn up and approved by three qualified and very experienced chartered landscape architects - two consultants having identified them, and a local government officer having reviewed them. This is entirely in line with current best practice guidance.
3. Paragraph 4.4, page 11, of the LVA clearly explains the nature of the site topography, incorporating information on relative elevations. Views out from the edge of the national park locally on the high ground of Cefn Cil-Sanws are over the proposed development site down into and across the substantial urban area of Merthyr Tydfil. The Trefechan estate was constructed before the national park was designated and its boundary established. A large urban area therefore formed the landscape and visual context to the south of the BBNPA boundary in this locality. The proposed development will not reach the same or comparable elevations as that of the Sweetwater Park development, which is also much closer to the BBNPA local boundary. The slope characteristics of the land below the

BBNPA boundary are such that the development would be set well below all of the land on the southern flanks of Cefn Cil-Sanws, including within the BBNP. LVA Paragraphs 4.44 and 4.45, page 25, deal with this relationship.

4. LVA Paragraph 6.32, page 36, also deals with the visual relationship between the BBNPA boundary and the proposed development site and the resulting predicted visual effects – including specific reference to two assessment viewpoint photographs which demonstrate the spatial interrelationship. The proposed development would be set well below the national park land at Cefn Cil-Sanws, the boundary of which follows few recognisable physical landform or boundary features in this locality.
5. The LVA has properly taken into account all of the relevant landscape character and visual effects predicted to arise from the scheme. There is no justification for the addition of further assessment viewpoints which specifically relate to the effects on the national park or its stated special qualities. LVA Paragraph 8.4 deals with the effects on the national park in relation to the PPW 10 paragraph 6.3.5 provisions.

Response to other consultees

- 7.1 The following comments have been received following consultation with the 'other' consultees listed at paragraph 3.6.

National Grid

No Objection to Application

Comment	No objection to application. General Advice provided.
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Response	The comments are noted.
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GGAT

Comments

Comment	Many thanks for the pre-planning consultation regarding this proposed development site.
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We note that the supporting documentation includes an ASIDOHL2 report (edp, October 2019, edp5809_r003a) and an archaeological desk based assessment (edp, October 2019, edp509_r001a).

These provide us with information relating to the potential impact of the proposed development on the Registered Landscape, and on any historic assets within the proposed development area.

The ASIDOHL2 has followed the correct methodology to assess the impact of the proposed development on the Registered Landscape, and specifically on the Historic Landscape Character Area in which the proposed development is located (physical impact), and those Character Areas external to the development area, which are indirectly affected (visual impact). The report notes that the proposal area is 46% of the Ty Newydd Character area (HLCA058), and the resulting physical (absolute) impact is **considerable**, and in visual impact is assessed as **severe**. The impact on this HLCA will be *dominant*; for the remaining character areas which have intervisibility this is assessed as having a *minor and non-significant change in views*. Regarding the impact of **severe**, the ASIDOHL2 *Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process (2007)*, notes that historic landscapes are a finite and irreplaceable resource. Mitigation could be suggested by retaining as much of the drystone walling and field systems within the proposed development; the ASIDOHL2 Guide states

that it is a matter for the planning authority or Public Inquiry Inspector concerned to determine what weight should be given to mitigation.

The archaeological desk based assessment has consulted sources appropriate to allow the assessment to be made. It has identified three mounds, the nature of these is unknown; the drystone walling which forms part of the description of the character area; and three former agricultural buildings. Should planning consent be granted, the impact on the Registered Landscape could be reduced by retaining the form of the fields, and the drystone walls, within the development. The walls themselves would require a historic structure survey, to record them photographically, by drawing and plan, and if sections will be removed, by recording of the buried elements, any cut foundations, and sections. The remaining buildings noted would require a survey. The mounds need to be investigated. This would be in line with Welsh Government advice in Planning Policy Wales Edition 10, and TAN24: The Historic Environment, where preservation by record is necessary if archaeological features, structures or buried deposits cannot be preserved in situ.

The reports will require the insertion of the Welsh Language summary and bilingual information submission form, to ensure they will be accepted into the Historic Environment Record (**Guidance for the Submission of Data to the Welsh Historic Environment Records (HERs) 2018**)

Email response 14th November 2019

I have highlighted the paragraph in my email which details what mitigation work is needed, but to clarify with detail:

1: Record the drystone walls and their extent to ClfA Standards and to Level 3 Historic England. This will include plans, photographs and when sections are removed, a record of the section and any foundations and buried elements.

2: Record the remaining agricultural buildings to ClfA Standards and to Level 3 Historic England. This will include plans, photographs and potential sampling.

3: To investigate the mounds identified. This will depend on whether they are preserved as open space in the development, or not.

One and two can be conditioned, and three would be dependent on the final masterplan as to whether they are open space or not, as if retained no investigative work would be necessary, if they are to be removed then their nature needs to be confirmed and understood, and it is recommended that this would then take place prior to determination.

Response The response is noted. On the 12th November 2019 a clarification email was sent to GGAT to confirm any pre-determination works and, on the 14th November 2019, a further response clarifying works that are required prior to determination was received.

These works are currently being commissioned and will be submitted prior to the determination of the planning application.

WDL Homes LTD commissioned the Glamorgan-Gwent Archaeological Trust to undertake an archaeological evaluation in the northwest quarter of the development at Trefechan, Merthyr Tydfil (NGR SS 03391 09097), as part of pre-planning works. The fieldwork took place between the 20th and 21st January 2020. Three trenches were targeted over three previously identified mounds which were thought to be of some archaeological potential. No significant archaeological finds or features were noted during the course of the work. The evaluation demonstrated that the mounds either represent clearance cairns, or stockpiled stone for wall repair or construction of the extensive drystone walling that forms many of the adjacent field boundaries

Conclusion

- 8.1 Asbri Planning have been instructed by WDL Homes Ltd to prepare a PAC Report to demonstrate that appropriate pre-application consultation has been carried out in respect of the demolition of a bungalow, construction of residential development, landscaping, parking and associated works on land to the North of Crabtree Walk, Trefechan, Methyr Tydfil.
- 8.2 This PAC Report is prepared in accordance with Part 1 Section 2F of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ("the 2016 Order") and demonstrates how the applicant has complied with Section 61Z of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act") and responded to the comments received from any interested party consulted under Section 61Z (3) or (4) of the 1990 Act.
- 8.3 As required by Sections 2C, 2D and 2E of the 2016 Order, the forthcoming application has been publicised, consulted upon and considered in accordance with the regulations.
- 8.4 Where appropriate, responses to comments received are provided in addition to details of any amendments to the application package/ proposal arising from the comments received.
- 8.5 In accordance with the above, it is considered that the requirements of Part 1 Section 2C, 2D, 2E and 2F of the 2016 Order have been satisfied.