

INTERNAL MEMORANDUM

To: Rebecca Owens - Development Control Case Officer

Reference: P/21/00360

From: Planning Policy and Implementation Section

Ask for: David James

Extension: 7053

Date: 23rd November 2021

Summary

No objection raised. The development meets the relevant Replacement LDP policies (SW4 - Settlement Boundaries, SW13 – Protecting and Improving Local Community Facilities, EcW3 – Retail Hierarchy & EcW5: Town and Local Centre).

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 odour nuisance, noise and disturbance, traffic generation and parking provision, and any other relevant risks to public health and safety (Policies SW11, SW12, CW1 & EnW4).

Observations in respect of the above development

1. Proposed Development

Application for the change of use of part of the ground floor to a takeaway (A3 Use Class), the installation of a new shop-front, the erection of a single-storey extension to the rear, to be used in association with the takeaway, and an external flue, at 32 High Street, Cefn Coed, 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 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 12 Economic Development: To provide and safeguard appropriate land for economic and skills development.*
- *LDP Objective 14 Town and Local Centres: To develop the town and local centres as accessible, attractive, viable and vibrant places.*

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 SW13: Protecting Community Facilities*
- *Policy CW1: Historic Environment*
- *Policy EnW4: Environmental Protection*
- *Policy EcW3: Retail Hierarchy – supporting retail provision*
- *Policy EcW5: Town and Local Centre Development*

The following supplementary planning guidance is applicable:-

- *SPG 2: Planning Obligations*
- *SPG 3: Shopfront Design*
- *SPG 4: 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
- Living in a Place: Housing
- Activities in Place: Retail and Commercial Development
- Active and Social Places: Community Facilities
- Recognising the Special Characteristics of Places
- Recognising the Environmental Qualities of Places

Technical Advice Notes (TANs)

TAN 4: Retail and Commercial Development (November 2016).

TAN 12: Design (March 2016).

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

3. Policy Considerations

The application site is a residential unit located within the Cefn Coed Local Centre . 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 size and nature of the development, a financial contribution to affordable housing would not be sought, however, Community Infrastructure Levy (CIL) would 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):

- 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;
- 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.
- provide adequate facilities and space for waste collections and recycling.

Considering the nature of the development , and the location of the site (in close proximity to existing residential and commercial uses) consideration should be given to the above issues, particularly the additional traffic movements that would accompany a new A3 use. As such, the views of the Council's Environmental Health department and the Engineering and Traffic Group Leader should be sought. Additionally, given that the proposal includes a rear extension and extraction flue, their design, massing, scale etc should receive particular consideration.

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 SW13 states that the provision of new and enhanced community facilities will be supported, subject to satisfying other relevant LDP policies. And that the Council will protect and support the enhancement of the County Borough's existing community facilities.

Given that the proposal will introduce an additional community facility (an A3 food use), to the local centre, it is considered to 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.

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.

Given that proposal includes the addition of a new A3 use (and extraction flue), in close proximity to existing residential uses, the views of the Environmental Health department are particularly important (in terms of noise, odour nuisance etc), and should be sought.

Policy EcW3 advises that Merthyr Tydfil Town Centre is the favoured location for retail, leisure, and other complementary development, being situated at the head of a retail hierarchy and being followed by the local centres of Cefn Coed (and others). Proposals for new and enhanced retail, leisure and other complementary provision in this location will be permitted where they improve the vitality and viability of the centre.

Policy EcW5 advises that development enhancing the vitality and viability of the Town and Local Centres will be supported.

The proposal is for a change of use to an A3 takeaway use at ground floor, with the site being located within the Cefn Coed Local Centre. It is also noted that the previous use of the site was residential, therefore no A1 use would be lost. Additionally, an A3 use is permitted to change to an A1 use without the need for a planning application. Moreover, given that the ground floor of the property is currently in residential use, its change of use to A3, would create an additional community facility, with a subsequent increase in footfall and an active frontage, which will contribute to the viability and vitality of the Local Centre. As such, the proposal would be in accordance with the requirements of Policy EcW3 and EcW5.